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First Celebration

BY THE

OLD DOMINION SOCIETY,

OF THE CITY OF NEW-YORK,

OF THE

ANNIVERSARY

OF THE

Settlement at Jamestown, Va.,

ON

THE 13TH OF MAY, 1607.

HON. GEORGE W. SUMMERS, ORATOR.



New-York:

PUDNEY & RUSSELL, PRINTERS,
No. 79 JOHN-STREET.

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THE anniversary occurring on Sunday, the delivery of the address was fixed for Monday, the 14th, in the Great Hall of the Cooper Institute, that the public generally might have an opportunity of being present. The Banquet was deferred until the next day. In accordance with this arrangement, the Society, with its invited guests and the citizens generally, assembled at the Cooper Institute, when Col. Wm. M. Peyton acting as chairman, called the meeting to order at 8 o'clock, P. M.

The Rev. Dr. Hoje, chaplain of the Society, being invited to address the throne of grace, offered up a prayer of great fervor and beauty.

Colonel Peyton then rose, and remarked, that as this was the first occasion on which the Virginians resident in the city of New-York, had presented themselves before the public in their organized capacity as the Old Dominion Society, he would offer a few words of explanation, as an introduction of the Society and Orator of the evening, to the public.

This Emporium, continued Colonel Peyton, the great heart of this mighty nation, the centre of its trade and com-

merce, both domestic and foreign, by its strong attractions, draws to its bosom a broad and steady stream of migration from all the States of our confederacy as well as from foreign countries. Hence, said Mr. Peyton, it embraces within its limits what forms a most important element of its teeming population, a large representation from each State in the Union, and of every government on the habitable globe, which has been liberalized by the ameliorating influences of commerce, or illumined by the lights of civilization. Each of these representations, said Mr. Peyton, bring with them, from the homes of their nativity to the home of their adoption, and preserve, with cherished fondness, the sacred love of their Fatherland. A generation, fellow-citizens, said Colonel P., will not suffice to wear out the tender recollections of the homes of their birth; or the sacred spots which enshrine the bones of their venerated ancestors; or the deeply graven impressions of childhood; or the remembrance of schoolboy sports and youthful attachments. These, said Colonel Peyton, with the memories of their country's trials and their country's triumphs, cluster around their hearts and cling to them through life, while all that was odious, or painful, or disagreeable, is covered up in oblivion. Such, fellow-citizens, said Mr. P., is human nature. If I may be allowed to use the felicitous idea of a gifted friend, whose thoughts always sparkle with the brilliancy of true gems, I would say that there is a merciful influence in absence, which scatters a benevolence of recollection over those from whom we are separated. It melts down prejudices; it extinguishes animosities; it pours a Lethean stream over faults and injuries; and gives to the affections themselves a deeper tone of tenderness. It sheds over the past and the absent a moonlight glory, pale and pure, more serene and lovely than the fiercest glow from a meridian sun. The flow-

ers which have bloomed in the youthful heart, when thus illumined, appear softer and more beautiful, while everything disagreeable, or like deformity, sinks into a shade which the eye cannot penetrate. Hence, fellow-citizens, said Mr. P., you find the generous-spirited sons of Erin, under the auspices of the distinguished gentleman on my right (the President of St. Patrick's Society*), organized into an association such as we are now inaugurating, annually, [around the festive board, pouring out libations to their honored ancestors, and revivifying the glorious recollections of their native land. So with the St. George's Society, the representative of our mother-country and her overflowing treasures of fame and glory, in which we have a common inheritance. So of the Saint Nicholas Society, who represent the Doric capital of the social column of the Empire State. So of the Germans and other foreigners, each with their own peculiar associations; all, however, inaugurated for the same purpose, all animated by the same feeling, and all tending to the same end.

Among our citizens called native, in contradistinction to those to whom we have just alluded, because they happened to reach our shores a few days earlier, the New-England Society has been most conspicuous. Embracing among its members the citizens not merely of one, but of all the Eastern States—numbering a large representation in this city, and embodying a vast amount of worth and talent—it has, on its annual festive occasions, lost no opportunity of bringing prominently before the country its men of genius, and has thus, said Mr. Peyton, contributed largely to the intellectual fame of New-England, while it has animated and strengthened the patriotism of her citizens.

* The gentleman here referred to was not, as Mr. P. supposed, the President of St. Patrick's Society, but Mr. Norrie, President of St. Andrew's Society.

Inspired by these examples, said Colonel Peyton, actuated by similar views, the Virginians resident in New-York have organized the "Old Dominion Society," and at this, its first celebration of the settlement at Jamestown, on the 13th of May, 1607, just thirteen years before the landing of the Pilgrim Fathers on Plymouth Rock, we have, in order to illustrate the event, invited to deliver an oration on this occasion, one of Virginia's gifted sons, the Hon George W. Summers, who I now, ladies and gentlemen, have the pleasure of introducing to you.

Mr. Summers being received with loud applause, proceeded to read the following address :

ADDRESS.

IN the month of December last, "the citizens of Virginia, with their descendants, resident in the city of New-York and its vicinity, holding in affectionate reverence the State of their birth and adoption, and desiring to cultivate by suitable ceremonies the memories of her glorious history, and to promote, by acts of social intercourse and mutual charity, a unity of feeling in all that affects the interests of that noble old Commonwealth," instituted an Association, to be called the "Old Dominion Society."

Native born citizens of Virginia; descendants of Virginian parents, by one generation; and persons who, by former residence in the State of Virginia, acquired citizenship there, are made eligible to membership; honorary members, without regard to those qualifications, may be elected by the unanimous vote of those present at any regular, or called meeting of the society.

The second article of the Constitution of this Association provides, that "the anniversary day of this Society shall be the 13th day of May, and shall be commemorated with suitable ceremonies, in honor of the Jamestown Colony, May, 13th, 1607."

Having been honored by an invitation from the executive committee to address the society, at this its first anniversary meeting, I come, in obedience to the call, but with unaffected diffidence, to contribute my mite, in the ceremonials of an occasion, so replete with historic interest, and so suggestive of patriotic hope and exultation.

The meditations of this day are alike remote from the exciting topics of partisan politics, and the controversies of sectarian religion. The duties which we are to perform are commemorative, not aggressive. The fame and achievements of our fathers are safe from the passion and folly of the present hour, however we may be rent and tossed by their influence. Their virtue, and wisdom, and heroism, are written in a book, engraven in the rock with an iron pen, and with lead forever, a lesson to cheer and guide us, if we follow the admonitions and encouragements which it imparts; a judgment of withering condemnation to stand out against us in the gaze of all the ages to come, if we falter with our duty, or renounce the inheritance which has been carved out for us.

In this great commercial emporium of the Union, where every nation finds its representative, societies of like character with that whose organ I have the honor to be on this occasion, are numerous. Natives of Great Britain and of Continental Europe, invited to these shores by the liberality of our institutions, and welcomed to our bosoms as brethren, delight to remember the land of their birth, and, by appropriate organizations and ceremonies, to demonstrate that attachment and reverence for the homes of their infancy, is not incompatible with the duties of good citizenship, in the home of their adoption.

The New-England Society has abundant cause to rejoice in the annual celebration of the landing at Plymouth, in 1620.

These several societies have no rivalries or opposition to each other; on the contrary, they excite mutual sympathy and respect. They are each founded on a sentiment of filial piety—love of home and of kindred.

I am sure they are all prepared to admit into their circle, a sister institution, formed for the purpose of commemorating the first successful attempt to plant the Anglo-Saxon race on

the American Continent. We are persuaded that, apart from the fact of priority of settlement, ample cause will be found in the history and character of Virginia, her early and continued devotion to free principles, the share which she has had in moulding the institutions of the country, and the large proportion of the present population of the United States which has descended from her, to justify her children at home and abroad, in gathering around the family tree, to admire the stately proportions of its venerable trunk, and the beauty of its wide-spreading branches and its goodly fruit.

While the absence of personal merit is not to be compensated by claims, however well founded, to ancestral renown, neither should a veneration for illustrious progenitors be regarded as a mere pardonable weakness, but rather as a sentiment to be cherished and honored. It is among the highest incitements to virtuous action, and one of the strongest safeguards against personal degradation. In the more expanded relation of communities and states, pride of ancestry becomes relieved of the indelicacy which attaches to egotism, and is sanctioned as a natural impulse of the public heart. Poets, orators, and historians, have delighted to trace the descent of heroes, families, and nations, to high originals, and have not hesitated to invoke gods and goddesses to lend traditional glory to the marvel of their narrative.

Our origin is not obscured by the mists of time, nor does it need the embellishment of fiction. Virginia owes her primitive occupancy to the spirit of personal and mercantile adventure. The successive attempts of Sir Walter Raleigh and his associates, to "deduce a colony" on the coast of North Carolina, from the year 1584 to 1590, although accompanied by repeated disasters, and terminating in the total loss of the colonists, under circumstances which could not be discovered at the

time, and have never been satisfactorily explained, yet served to acquire and carry home new and interesting information, of fertile and unclaimed regions, and to intensify the desire to know more of the country discovered by Columbus and Cabot. The accounts given by the returning voyagers of the exceeding richness of its soil, the delightful temperature, its magnificent forests, the vine-clad shores of its bays and inlets, with the purple clusters dipping in the waves, awakened the liveliest interest in England, which reaching royalty itself, in exultation of such an expansion of her dominion, Elizabeth stood god-mother to this new offspring of English prowess, and, in consideration of her own state and condition, bestowed upon it the name of "Virginia."

From 1590, except the repeated expeditions sent by Raleigh to discover and relieve the lost colony at Roanoke, all of which proved abortive, nothing further was attempted toward the occupancy of the country until 1606. The misfortunes which had hitherto attended every effort at colonization checked the ardor of adventure. England had become engaged in a war with Spain, and the menaces of her boasted armada evoked the military spirit of such men as Drake and Raleigh to nearer and more stirring scenes of action.

By a deed, bearing date on the 7th day of March, 1589, Raleigh assigned the patent which he had obtained from Elizabeth, of March the 24th, 1584, to Thomas Smith and others. In this instrument he is styled "Sir Walter Raleigh, Chief Governor of AFFAMACOMAC (*probably Accomac*), *alias* WINGADACA, *alias* VIRGINIA."

Bartholomew Gosnold was the first to revive the spirit of colonial enterprise. He had made several voyages to the northern coast of the United States. He seems to have greatly admired the aspect of the country, its apparent fertility and

its salubrious air. Through his zeal and active exertions, the merchants of London, Bristol, and Plymouth, were induced to believe that a profitable traffic in furs, skins, timber, and other commodities (to say nothing of the precious metals, of which an unexplored country did not deny hope), might be established, through the agency of a trading commercial company.

Perhaps nothing contributed so much to enlist public confidence in the scheme of Gosnold and his associates, certainly nothing tended more to insure its success, than that it was most ardently and zealously embraced by John Smith.

He was an English cavalier and soldier of fortune, about twenty-eight years of age, whose wonderful adventures and achievements, but that they are so well attested, would seem to belong to the creations of romance rather than the realities of sober history. To the most daring intrepidity, he united great quickness and correctness of judgment, and an equanimity of mind which never deserted him under the most trying and appalling circumstances. He had fought for the independence of Batavia, had lent himself to the service of Transylvania, in her wars with the Mohanmedans, had so signalized himself as a knight, in single combat, as to be entitled to add to his heraldic emblazonry three Turks' heads, with the motto "*Vincere est vivere.*" In the fortunes of war he had been imprisoned and enslaved. Twice he had been relieved by the pity and gentleness of woman. He had sought new perils in Morocco, and now, having returned to England, with all the enthusiasm of his nature, and in the ripeness of his varied experience, he was ready to give himself to the labor of founding a new State in the wilderness.

A charter or patent was readily obtained from James the First, which bears date on the 10th day of April, 1606, granting to Sir Thomas Gates and others, the country, from the

34th to the 45th parallel of latitude, and extending from Cape Fear to Halifax.

This was divided between two companies, who were to colonize Northern and Southern Virginia. The first company, destined for the South, having procured three small vessels, the largest of which did not exceed one hundred tons burden. Under the command of Christopher Newport, the little fleet, with one hundred and five persons on board, among whom was the gallant John Smith, set sail from Blackwell on the Thames, on the 19th day of December, 1606.

The geography of the sea was not understood at that day as it is now, nor was the art of navigation. The adventurers having remained, for a time, at the Canary Islands, did not reach the southern coast of the United States until the following spring. The charter authorized this company to make their settlement at any place which they might select, between the 34th and 41st parallels of latitude. It is quite certain that they intended to attempt a settlement at or near the locality that Raleigh's colony had formerly occupied. It was, however, ordered otherwise. The "mariners had three days past their reckoning, and found no land." The officer in command of one of the vessels, despairing of making harbor, was about to turn his course for England, when fortunately, or providentially, a furious storm arose, and, on the 26th day of April, 1607, the ships were borne, by the violence of the gale, into the magnificent bay of the Chesapeake.

Passing the headlands which form the entrance to the bay, they called the one Cape Henry, and the other Cape Charles, after the two sons of the reigning king.

Here we might pause to contemplate for a moment the emotions which the occasion was so well calculated to inspire in the bosoms of the colonists.

They were the first of the Caucasian race, so far as is certainly known, whose sails had passed between these Capes, or whose eyes had beheld the scene of panoramic beauty now spread out before them. Here was a noble expanse of tranquil water, surrounded on all sides, except its outlet to the sea, by shores clothed with forests, which seemed to have stood since the world began. The air, in this, the early spring, came laden with the perfume of opening bud and blossom. Numerous rivers discharged themselves into the bay, whose breadth and volume indicated distant sources, and whose currents, perhaps, rolled down the treasures of golden sierras. The presence of wild fowl and fish, in countless numbers, and of the most delicious varieties, suggested the facility and abundance of human subsistence.

Captain Smith, who was not only destined to be the preserver of the colony, but was its first historian, after describing the entrance to the Chesapeake, says, in his quaint but nervous style: "*Within is a country that may have the prerogative over the most pleasant places known, for large and pleasant navigable rivers. Heaven and earth never agreed better to frame a place for man's habitation, were it fully cultivated, and inhabited by industrious people. Here are mountains, hills, plaines, valleyes, rivers and brookes, all running most pleasantly into a faire bay, compassed, but for the mouth, with fruitful and delightful land.*" * * *

"*These rivers wash from the rocks such glistening tinctures that the ground, in some places, seemeth as gilded, where both the rocks and the earth are so splendent to behold, that better iudgments than ours might haue beene perswaded they contained more than probabilities. The vesture of the earth, in most places, doth manifestly proue the nature of the soyle to be lusty and very rich.*"

Having spent the intermediate time in searching for a suitable place to plant themselves, the emigrants, with their little squadron, entered a noble river, called by the natives "Powhattan," but which they named "James's River," in honor of the king, by virtue of whose patent they claimed the country. After ascending this stream some fifty miles, they selected a peninsula on the north bank, on account of its anchorage, and supposed convenience for defence, to which they gave the name of "Jamestown." Here they landed on the 13th day of May, 1607; and here and then began the Commonwealth of Virginia, one hundred and nine years after the discovery of the American continent by Cabot, forty years after the settlement of Florida, by the Spaniards, at St. Augustine, and thirteen years before the Pilgrims laid the foundation of New-England, in the colony at Plymouth.

It will not be expected that I should attempt to trace, with any minuteness, the gradual expansion of this germ of civilization through years of weakness and colonial dependence, or through other years of revolutionary struggle and triumph, until it reached maturity under the forms and safeguards of popular representative governments, and the protection of regulated constitutional freedom. This would rather pertain to the office of the historian.

The early annals of the colony, though scant of details, show such a degree of extreme trial and suffering as, without belief in a controlling power which guides the affairs of men, would leave us in amazement that it was not totally extinguished. Disease, famine, mutiny, and Indian massacre, were the fearful agencies which assailed the enterprise. During the first year their number was reduced to about forty, the active and sagacious Gosnold being among those whose system had given way, under the intolerable summer heat and pestilential mala-

ria of their new home. They had arrived too late in the season to open land and rely upon their own tillage for subsistence. The protracted voyage had served to consume the supplies which they had brought from England, except what was necessary for the return of Newport, who, having been hired by the company as a mariner, to transport the colonists, and having, with Captain Smith and others, explored the river as far up as the falls, where Richmond is now situated, sailed for England on the 22d day of June.

The colony was only preserved by the patience, courage, and good sense of Smith, who may be emphatically called the father of Virginia. In the most pressing periods of want he obtained supplies from the natives, sometimes by purchase and presents, sometimes, under the spur of necessity, by force. He explored the Chesapeake, as also the adjacent land and rivers. He suppressed dissensions in the little band at Jamestown. Repeatedly, by his timely and daring interposition, did he frustrate attempts of the mutinous and despairing colonists to abandon the settlement and escape to England in one of the small vessels left by Newport. In one instance he was compelled to resort to the use of arms, and Kendall, a member of the council, fell a victim to his own perfidious effort to break up the enterprise. Always ardent and hopeful, Smith never despaired of ultimate success.

He found the country in possession of a nomadic race, the question of whose origin, though long the subject of ingenious speculation, has not, even in our day, found a satisfactory solution. According to Smith's estimate, there were, within sixty miles of Jamestown, and between the bay and the falls of the river, some five thousand Indians, capable of furnishing fifteen hundred warriors. These were divided into numerous tribes, governed by their respective kings or werrowances, but con-

federated under a chief ruler, or emperor. This confederation had been brought about by Powhattan, the principal chieftain at the time of the arrival of the colony. His hereditary possessions seem to have been much more limited, and to have been enlarged by his own conquests and address as far as the Patuxent, in Maryland. This monarch sometimes resided at a town of his own name, near the falls of James river, but his favorite residence was at Werowocomoco, situated on the Pamunkey, now York river, in the present county of Gloucester, and not far distant from the spot rendered memorable by the crowning victory of the Revolution. It was here that the gallant Smith, a captive, and about to be executed, was rescued by the interposition of Pocahontas, the young and beautiful daughter of Powhattan.

This gentle maiden seems to have been a guardian angel to the colony. On several occasions she gave timely warning of impending danger, and by her subsequent marriage with one of the colonists, became the means of cementing a friendship between her people and the English.

The story of this Indian princess—the perils she encountered in promoting the safety of the colony, her conversion to the Christian faith, her marriage to one of a strange lineage, whose people were destined to supplant and exterminate her own, her visit to England—the introduction of the simple child of the forest into the courtly circles of London under the patronage of Lady Delaware, her interview with Smith at Brentford, her death at Gravesend when about to re-embark for her native land, leaving an only son, from whom was to descend some of the best stock of a great commonwealth—constitute a romantic episode in the history of Virginia. The baptism of Pocahontas, in the little church at Jamestown, has been aptly chosen as a subject for one of the historical paintings in the Capitol at Washington.

American justice and humanity are unquestionably obnoxious to reproach, in some of our transactions with the aboriginal inhabitants of this country. They have too often been made the victims of fraud and violence at the hands of those from whom they were entitled to receive protection. It is a somewhat melancholy reflection, that at no distant period scarce a specimen will remain on the continent, of a people once claiming and overspreading it. But they were, in the main, a barbaric people, subtle, cruel, and perfidious—impervious to the softening and humanizing influences of civilization and Christianity—prone to adopt the vices of the white man but to repudiate his virtues—and whom it would seem to have been impracticable to preserve, either by fusion or in separate nationality. Their removal is only in accordance with the great law of periodic succession and subordination, discovered in all the works of creative wisdom. It is but a mawkish sentimentalism which would teach us to regret the gradual subsidence, or even final extinction, of such a type of our kind, in presence of a race stamped with every lineament and endowed with every faculty of supremacy. This glorious land was never designed to be the permanent abode of irreclaimable savages. They have accomplished the end for which they were formed, as a link in the generations of men, and, like the extinct species of the lower animals, disclosed by geological investigation, have been succeeded by those of higher organization; nor is there more reason to invoke our sympathy in their fate than with the Hittite and the Amorite, who fell before the conquering march of Joshua, after the miraculous passage of the Jordan.

The settlement of Virginia, as has been seen, was under the auspices of a commercial company. The government, at the outset, was proprietary, the powers of which were lodged in a

resident council and president, and in the company at London, the latter having appellate jurisdiction, and exercising the functions of legislation. There were but few badges of freedom in the charter of the company, and little of liberality in its early administration. The primary object was the profit of traffic rather than founding a state. The success of Spanish and Portuguese adventure in the rich mines of the south had inflamed the English mind with ardent hopes of similar good fortune in this quarter. Their ignorance of the geography of the country, led them to expect that the South Sea, as it was then called, by which the Indies were to be reached in a shorter route, would be found in the rear of, and at no great distance from, their place of settlement. One of the first instructions of the company was, that the adventurous should explore some river falling into the Atlantic from the west, under the belief that this South Sea would be found in close proximity to its source. It was under the guise of compliance with this instruction that Smith, anxious to begin his acquaintance with the new scenes by which he was surrounded, made his first visit to the Chickihominy. When Newport made his second voyage to Virginia, it was under a mandate from the company at London, not to return without bringing with him intelligence of the discovery of the South Sea, a lump of gold, or one of the lost colony of Raleigh. Not being able to comply either with the first or the last of these requisitions, he attempted to perform the second by carrying with him, on his return, some of the "glistening tinctures" described by Smith.

That such were the first impressions and purposes of the company, is shown by the fact that the colonists were not sent over in families (there was not a woman among them), and that the right of individual property was not recognized—all things being in common, and provisions being supplied from the public store.

The character of the first immigrants was not such as suited the commencing a new state in the wilderness. They had been for the most part idlers and hangers on about London, with few among them accustomed or skilled to labor. It was a matter of complaint with Smith, that the succeeding importations for a time had so small a proportion of working men and mechanics. He sought to impress the opinion from the first, that all expectation of gold and hasty riches should be abandoned, and that the true sources of profit were to be found in the cultivation of the country and the accretions of well directed, methodical industry. The enterprise did languish, until the stimulus of personal interest was brought into operation by grants of lands to individuals, and by the recognition and protection of private property, together with the home feeling created by the family relation.

By a second charter to the Virginia Company, dated on the 23d day of May, 1609, the boundaries of the colony were to be from Point Comfort, two hundred miles south, along the coast, and two hundred miles north from the same point; giving four hundred miles of seacoast, and "all that space and circuit of land lying from the seacoast of the precinct aforesaid, up into the land throughout from sea to sea, west and northwest;" and were also to include "all the islands lying within one hundred miles along the coasts of both seas of the precinct aforesaid. By a third charter, dated on the 3d day of March, 1612, the ocean limits were so enlarged as to include all the islands within three hundred miles of the shore, and within the 30th and 41st degrees of latitude. This enlargement was mainly with the view to embrace the Bermudas, or Somers Islands, within the limits of Virginia.

Notwithstanding the character of the government provided for the colony by these several charters, and the ab-

sence of any control in its administration by the colonists themselves, yet a spirit of freedom and republicanism very early manifested itself, both in the company at London and the colony in Virginia.

The earliest written recognition of a General Assembly is found in the "Ordinance and Constitution of the Treasurer, Council, and Company in England, for a Council of State and General Assembly," dated July 24th, 1621, and in the commission and instructions to Sir Francis Wyatt, Governor, of the same date.

By this "Ordinance and Constitution," the government of the colony was vested in "a Governor, Council, and two Burgesses out of every town, hundred, or plantation, to be chosen by the inhabitants, to make up a General Assembly who are to decide all matters by the greatest number of voices; but the governor is to have a negative voice; to have power to make orders and acts necessary, wherein they are to imitate the policy of the forms of government, laws, customs, manner of trial, and other administration of justice in England; no law to continue or be in force till ratified by a Quarter Court to be held in England, and returned under seal; after the colony is well framed and settled, no order of Quarter Court, in England, shall bind until ratified by the General Assembly."

In this compendium of powers are found all the essential elements of good government—free suffrage, popular representation, the right of the majority to rule, trial by jury, and the common law and customs of England. The last clause of this frame of government, declaring that no act of the Company in England should become obligatory without ratification of the General Assembly, is a remarkable evidence of the early spirit which animated the Virginia Company, and is the first dawn

of that claim to the right of self-legislation, so persistently maintained by the colony throughout its subsequent history, the encroachments upon which, by the mother-country, ultimately brought about the war of Independence, and their final separation.

But prior to the "Ordinance and Constitution" of 1621, there had been a General Assembly in Virginia. The meagre chronicles of that period do not inform us how it was brought about. Whether it was the consequence of instructions from the managers of the company in England, the spontaneous action of the Governor, or the solicitations of the people; or whether it naturally came into life at the right time, just as we sometimes witness the appearance of new products of the earth, when the soil has become fitted for their germination, without any apparent or known paternity, cannot be decided. But in June, 1619, Governor Yeardley gave orders for the election of Burgesses, and on Friday, the 30th day of July, 1619, the first legislative assembly which ever was convened in America, met in the Church at Jamestown, more than a year before the May Flower sailed from England.

The courts of the company, held in London, were theatres of free debate. Many of the nobility, knights, and members of Parliament were stockholders of the company. The Earl of Southampton, the friend and patron of Shakespeare, was a leading member, and for a time its treasurer. James the First, always on the alert to suppress liberal tendencies, had his jealousies aroused. He declared that the company "was a seminary for a seditious Parliament."

In 1622 there was an Indian massacre, by which a large proportion of the colonists were cut off. This was seized upon as one pretext for a charge of mismanagement and ill government against the company. The king declared his purpose

to revoke the charter. A commission was organized to inquire, in Virginia, into the state of the colony. While this commission was engaged in the investigation, a writ *quo warranto* was ordered to be issued from the Court of King's Bench. While these proceedings were depending, the General Assembly of 1623-24, by several of its enactments, demonstrated true views of regulated liberty. Among other statutes then passed, was one which declared that the Governor shall not "lay any taxes or impositions upon the colony, their lands or commodities, otherway than by the authority of the General Assembly, to be levied and ymployed as the said Assembly shall appoynt."

The cardinal principle of free government, that revenues are only to be raised and disbursed by the representatives of the people, and that taxation and representation are correlative, are here boldly announced. This statute was re-enacted in 1632.

The *quo warranto* was tried at the Trinity Term, 1624, and the company was dissolved, by annulling its charter. It had expended up to this time, in the scheme of colonization, one hundred and fifty thousand pounds, and had shipped to Virginia about nine thousand persons.

Upon the death of James the First, in April, 1625, his son and successor, Charles the First, took the government of Virginia into his own hands, and it became, in effect, a royal colony.

However arbitrary and illegal may have been the repeal of the charter and the dissolution of the company, it is by no means certain that these acts were detrimental to the growth and prosperity of the colony. The government, by two sets of agencies, the company with its courts in London, and the Governor, Council, and Burgesses, in Virginia, was complica-

ted and cumbersome. The colony had become strong enough to take charge of its own future. Its relations with the Indian tribes had become more pacific and satisfactory, and though still liable for many years afterwards to attacks from these savages, yet experience had been acquired of their modes of warfare, always more distinguished for stratagem than for open assault. The health of the colonists had much improved.

The agricultural products of the country were more than sufficient for its population, and we have accounts, about this time, of beef being sent to supply the wants of the pilgrims in New-England. Maize, or Indian corn, now entering so largely into animal subsistence, and for which the world is indebted to America, was the general food of the natives, prepared in a variety of fashions, and soon came to be esteemed as a delicious edible by the English.

Tobacco had become the staple of the colony, and was not only the basis of its commerce but was also its currency. Salaries and debts were paid in tobacco. Wives were purchased with the same commodity, the value of the first importation being fixed at one hundred and fifty pounds of that article *per capita*. But such was the activity of demand, and the competition of purchasers, that the price was rapidly augmented. It was not long after this period, that the General Assembly thought it not inappropriate to give expression to their gratitude by a public statute that "God Almighty, among his many other blessings, hath vouchsafed increase of children to this colony, who are now multiplied to a considerable extent."

After the dissolution of the company the colony began gradually to look to the king, as merely its executive head,

while for all measures necessary to its happiness and prosperity the colonists were to rely upon themselves, and their own legislation. This was a sentiment which runs through the entire colonial history of Virginia, becoming deeper and more fixed in its channel, up to the period of the revolution. They professed loyalty, and they were loyal ; but it was loyalty to the king of Great Britain as head of the nation, of which Virginia was an offshoot, planted in a distant land, neither having or claiming representation in the English parliament, but relying on its own legislative assembly.

The situation of the colonists was itself favorable to the development of freedom of opinion and independent principles. They were cut off from the mother country by the width of the Atlantic. They were thrown into the solitude of great forests, and separated from each other on distant plantations. They were thus forced to commune with nature, and cultivate healthy processes of thought. They became self-reliant, and that is a quality of the individual or the family very nearly allied to, and apt to beget, independence in the community or nation. They had no towns, and now, after the lapse of two centuries and a half, there is not one in the State of fifty thousand population. Love of the country is a prevailing sentiment among her people to this day. It has been said that the New-Englander makes money that he may move to the city, while the Virginian devotes himself to its acquisition, mainly that he may purchase a farm in the country.

The founders of Virginia were not driven to America by religious persecution and intolerance as were the Puritan fathers of New-England. On the contrary, they were of the Anglican church, as established by law in the mother country. A large proportion of the early legislation of the colony had for its object the promotion of the worship and doctrines of the

English church. Their statutes, however, evince a severity in the letter not found in the history of their practice. There were some harsh enactments against Quakers, and perhaps other dissenters, but to the credit of the State, we have no account of any general persecution for religious opinion. The invitation extended by the Jamestown settlement to the Plymouth colony, that the latter should remove to the Delaware within the limits of Virginia, and thus escape the rigors of their more northern latitude, would not seem to imply the presence of any very stringent notions of orthodoxy.

The early colonists were unquestionably loyal, both to the church and to the king. Such predilections of political and religious faith had served to fix upon one of the great divisions of English society the designation of "cavaliers," a soubriquet of party by which they were distinguished from those who were zealous for change and reform, both in Church and State, and who, in derision, were called "round-heads," from the peculiar fashion in which they wore the hair. Virginia adhered to Charles the First, through all the vicissitudes of his fortune. Tidings of the defeat at Marston-Moor, and the overthrow at Naseby, brought as keen anguish to the Virginians as to the king's subjects at home; while those events may have served to stimulate further immigration to the colony, and thus to augment the number of his friends in that distant retreat.

The king was beheaded in January, 1649. At the first general assembly held after that occurrence, in October, 1649, by an act which recites in its preamble that there were those who "in design of innovation," were disposed to "cast blemishes of dishonor upon the late most excellent and now undoubtedly sainted king," it was declared that whoever, "whether stranger or inhabitant of this colony, shall maintain

or defend the late traitorous proceedings against the aforesaid king of most happy memory," should be adjudged an accessory, after the fact, to the death of the king. It was further declared, that whosoever should "go about by irreverent or scandalous words or language, to blast the memory and honor of the late most pious King (deserving ever altars and monuments in the hearts of all good men), shall, upon conviction, suffer such censure and punishment as may be thought fit by the Governor and Council." It was also provided by the same act, that any person who should, by words or speeches, "insinuate a doubt, scruple, or question," of the inherent right of Charles the Second to the colony of Virginia, and all other his Majesty's dominions," such words and speeches shall be adjudged high treason.

The people of Virginia were attached to Charles the First, not so much from a love of the kingly office, as for the reason that they had prospered under his reign. He had seldom intervened in their affairs, but had, in the main, left them to their own management. In 1642 they had solemnly protested, in a memorial to the king, against a proposition set on foot by some of the members of the former company, to revive the corporation. They set out, in their memorial, numerous blessings and advantages enjoyed by them since the repeal of the charter, and their apprehensions of mischief in returning to it.

Nor were the people of Virginia slaves to the monarch, nor blindly obedient to his will. The first General Assembly that was held after the accession of Charles the First to the throne, and which had been called at his own instance, to deliberate upon a proposition submitted by him, to become the purchaser of all the tobacco grown in the colony, rejected the terms offered by the royal speculator and monopolist. They did not hes-

itate to remonstrate, in suitable terms of indignation, against the dismemberment of their territory by the grant of Maryland to Lord Baltimore, and after settlements had been made under the title acquired from the king, a spirited attempt to vindicate the rights of Virginia, was exhibited in an encounter between armed parties of the two colonies, on the waters of the Chesapeake.

A very significant event, the earliest foreshadowing of resistance to arbitrary power, occurred in April, 1635, when Sir John Harvey, a governor appointed by Charles the First, having rendered himself odious by acts of oppression, and having excited the indignation of the Virginians by his supposed sympathy with the Marylanders, was summarily removed from his office by an order of the House of Burgesses.

The brief record of this exercise of popular authority is in the following words :

“On the 28th April, 1635, Sir John Harvey thrust out of his government, and Capt. John West acts as governor till the king’s pleasure known.”

The legislative history of Virginia, so faithfully collected and preserved by Hening, in his “Statutes at large,” clearly show, that from the death of Charles the First, in 1649, to the restoration of Charles the Second, in 1660, the colony was governed almost exclusively by the House of Burgesses. The statutes themselves are the best correctives of the errors into which Beverly, Robertson, Chalmers, and other early historians, have fallen, for want of them. There was not a Governor appointed during the interregnum, except by the General Assembly, which took into its own hands the whole power of appointment.

Virginia at first stood out against the Commonwealth. An ordinance was adopted by Parliament for the reduction of re-

bellious colonies, and prohibiting ships from trading with "Barbadoes, Antigua, Bermudas, and Virginia." Maryland had acknowledged the Protector, and Massachusetts, by an act of her own, prohibited all intercourse with Virginia, until she should submit to the supremacy of the Commonwealth. This restriction, proving injurious to her own commerce, was abandoned previous to the submission of Virginia.

Cromwell, adopting a plan which may have served as a precedent for the Paraguay expedition, sent Commissioners to Virginia to treat with the colony, accompanied by a strong armed force, to strengthen, if need be, the logic of the negotiations. The government at Jamestown, finding that favorable terms could be obtained, and having but little hope from a monarch in exile, whose chances of restoration seemed to have become desperate, made a formal agreement with the Parliamentary Commissioners, which bears date on the 12th day of March, 1651.

This is a most remarkable document, and exhibits the spirit and character of our ancestors, as old paintings preserve the features of the countenance. While they consent "to remain in due obedience and subjection to the Commonwealth of England, according to the laws there established," it is expressly stipulated "that this submission and subscription be acknowledged a voluntary act, not forced or constrained by a conquest upon the country, and that they shall have and enjoy such freedoms and privileges as belong to the free-born people of England." The treaty further provides "That the Grand Assembly, as formerly, shall convene and transact the affairs of Virginia;" that there should "be a total remission of all pains, fines, and forfeitures, on account of words or writing against the Parliament of England;" that "Virginia shall have and enjoy the ancient bounds and limits granted by the charters of the for-

mer kings;" that "the people of Virginia have free trade as the people of England do enjoy;" that Virginia should "not be charged with the expenses of the fleet sent to subjugate her;" and that she should "be free from all taxes, customs, and impositions whatever, and none to be imposed on them without the consent of the Grand Assembly, and that neither forts nor castles be erected or garrisons maintained, without their consent." Any of the inhabitants who might refuse to subscribe this engagement, were allowed one year to remove themselves and their estates out of the colony. The use of the book of common prayer was permitted for a year, "provided that those things which related to kingship be not used publickly." The Governor and Council were not required to take any oath or engagement to the Commonwealth for one year, nor be "censured for praying for or speaking well of the king for one whole year in their private houses or neighboring conferences;" and finally, as if punctilious in honor and loyalty to the last, the Virginians required and obtained a stipulation in the agreement, that "there be one sent home at the present Governor's choice, to give an account to his Majesty of the surrender of his country, the present Governor bearing his charge, that is, Sir William Berkley."

When we consider the condition of things existing at the period of this transaction, the terrible energies of the English Commonwealth, as wielded by the iron will of its acknowledged head, the remote position of this, the only part of the British dominion, adhering to the exiled king, the number and weakness of its inhabitants, in the presence of ships-of-war, lying off the village capital of Jamestown, we cannot but admire the patriotic firmness of the men, who, under such circumstances, were able to obtain terms of capitulation so favorable to the principles of free government. The language of the treaty is

in the tone of the old Barons of Runymede, rather than the submissive phraseology of a surrender.

Virginia enjoyed great freedom during the whole period of the protectorate of Cromwell. The representatives of the people claimed and exercised all the powers of government, and jealously warded off every encroachment upon their rights. Richard Bennett, the first Governor elected by the Burgesses, ventured to address a cautious message to the Assembly, in which protesting that he had no purpose to entrench upon their rights, in the free choice of a speaker, nor to underrate the gentleman proposed for that office, "but only by way of advice," expressed his opinion, in which he alleged the Council concurred, that it would not be proper to elect that individual, Col. Walter Chiles, at this time, inasmuch as there was a question to be agitated at the present session, concerning a ship lately arrived, in which he was interested, for which, and other reasons, the Governor conceived it better that they should make choice of some other person. To signify their sense of the Governor's interference, the Burgesses elected the obnoxious candidate, and then, as appears by an entry, reciting that the Speaker having represented to the house "his extraordinarie occasions in regard of the despatch of some shipping, now in the country, in which he is much interested and concerned," the house permits him to resign.

At a subsequent session, a vehement controversy sprung up, as to the constitutional power of the Governor to dissolve the Assembly. A dissolution had been ordered by the Governor and Council, but the House refused compliance, and adopted a resolution, declaring that any member who should leave in consequence of the Governor's action, should be censured as a person betraying the trust reposed in him by his country." They also resolved, "that they had in themselves the full pow-

er of the election and appointment of all offices in this country, until such time as they should have orders to the contrary from the supreme power in England ;” and further, that they were “not dissolvable by any power yet extant in Virginia, but their own.”

It had been stipulated in the articles of surrender, that the colony should enjoy free trade with all the world. It is manifest, from various statutes, passed during the continuance of the protectorate, that the restrictions of the navigation acts of the English Parliament were not enforced in Virginia, and that the representatives of the people, as they proudly called themselves, regulated their own commerce, as they did the election of their public officers.

If Virginia established the first representative Assembly in this country, hers was also the first government in the world based on universal suffrage. Originally the right of suffrage was exercised by all freemen. The first abridgment of this right was by an act passed in March, 1655, restricting suffrage to “housekeepers, whether freeholders, leaseholders, or otherwise tenants.” At the next session, however, suffrage was restored to “all freemen,” the Assembly declaring that “they conceived it something hard and unagreeable to reason, that any person should pay equal taxes, and yet have no vote in elections.” In 1670, the right was for the first time confined to freeholders. The instructions of Charles the Second to Governor Berkley, in 1676 also enforced the freehold qualification, “as being more agreeable to the customs of England.”

The parliamentary code of the Grand Assembly was not so voluminous as that of our present House of Representatives, but it contained some rules, which, if well enforced, might be beneficial now. At the first adoption of rules, in March, 1659,

there were but five in number. The first was, that "no Burgess shall absent himself from attendance on the house without leave first obtained (unless prevented by sickness), when any matter shall be debated of, but every member shall keep good order, and give due attention to the reading or debating of whatsoever shall be proposed, and not entertain any private discourse while the public affairs are treated of."

The second provided, that for every absence upon the call of the Clerk, the member should forfeit twenty pounds of tobacco, "to be disposed of by the major part of the house, every Saturday afternoon, lawful impediments excepted."

The third rule was, "that the first time any member of this house shall be, by the major part of the house, adjudged to be disguised with overmuch drink, he shall forfeit one hundred pounds of tobacco, and for the second time he shall be so disguised he shall forfeit three hundred pounds of tobacco, and for the third offence one thousand pounds of tobacco."

The fourth required, that the member addressing the house, shall "be uncovered during the time he speaketh, wherein no interruption shall be made until he hath finished his discourse."

The fifth and last was, "that no irreverent or indigne form of speech be uttered in the house against another member, upon the penalty of five hundred pounds of tobacco, the house to be judge therein, and the several fines to be disposed by the house, as abovesaid."

Upon the death of Oliver Cromwell, Virginia acknowledged his son Richard, whom he had appointed his successor.

The early historians are at fault in representing that Charles the Second was proclaimed by the authorities in Virginia, two years previous to his restoration to the throne in England, and that Sir William Berkley was called from his retirement and made Governor by acclamation. The statutes themselves, which

are the best evidence of what actually transpired, show that after Richard Cromwell resigned the protectorship, on the 22d of April, 1659, the House of Burgesses, by an act which recites in its preamble that there was "no resident, absolute and generally confessed power in England," declare "that the supreme power of the government of this country shall be resident in the Assembly, and that all writs issued in the name of the Grand Assembly of Virginia, until such a command and commission come out from England, as shall be by the Assembly adjudged lawful." At the same time, by another act, they appointed Berkley, Governor, requiring him to administer the office according to "the ancient laws of England, and the established laws of this country," and to call the Assembly together at least once in two years. They permitted him to choose a Secretary and Council, to be approved by the Assembly, and provide that he shall not dissolve the Assembly without their consent.

Berkley accepted the appointment upon the terms in which it was conferred. In an address to the Assembly, he stated that he had quietly submitted to the state of things as it had existed, and would continue to acquiesce until a change came. He evidently looked and hoped for a restoration of the monarchy. He was a thorough royalist. Undoubtedly that sentiment largely predominated in the colony, though it had enjoyed more freedom under the provisional government than at any former period, and there had been a considerable increase in the prevalence of republican principles. Charles the Second was restored on the 29th May, 1660. From the time of Richard Cromwell's resignation, the utmost doubt prevailed in England, as to the shape which the government might assume. The silence of General Monck held public opinion in suspense. The acts and records exhibit no change in mode or

style, except that, after the resignation of Richard, all writs were to issue in the name of the Assembly, whereas, from the time of the surrender to the commonwealth, they had been issued in the name of his "Highness, the Protector." There is no recognition of the king whatsoever, or of the kingly government, in any statute or proceeding, until the October session, 1660, some five months after the restoration in the preceding May.

Nor is there any authentic evidence that Charles was visited in his retreat at Breda by deputies from Virginia, to confer with him as to his power to protect them, in the event they should return to their allegiance; or of the tradition, that on the day of his coronation he appeared in a full dress of Virginia silk, in compliment to her loyalty. It is highly probable that a correspondence was maintained by Sir William Berkley, perhaps by other royalists in the colony, with the claimant to the throne. He had abundant proof of their zeal in his behalf; and in gratitude for the loyalty of the colonists, Charles, after the restoration, caused the arms of Virginia to be added to those of England, France, Scotland, and Ireland, with the motto "*En dat Virginia quintam.*" After the union of Scotland and England took place, the Virginia arms were quartered with that of England, France, and Ireland, the motto being changed, "*En dat Virginia quartem.*"

This is the origin of the title "Ancient Dominion," or, as since more frequently used, "The Old Dominion." Virginia was thought worthy to partake the honor of separate designation, as one of the several kingdoms and principalities which made up the empire.

The Ancient Dominion had little cause to congratulate herself upon the favor of this licentious and profligate prince. Oppressive monopolies of colonial commerce, and arbitrary grants of her territory to Court favorites, in violation of the

rights of the inhabitants, and utterly inconsistent with former charters, distinguished his reign, so far as it is connected with the history of Virginia, while his administration of the government at home was such as to concentrate well nigh all its power in the crown, and to substitute absolutism for a constitutional monarchy.

In 1669 the lands lying between the Rappahannock and the Potomac, known as the Northern Neck, were granted to Lord Culpepper, Baron of Thorsway, and others. Of this fair region, Thomas Lord Fairfax, Baron of Cameron, afterward became the proprietor by inheritance; and by virtue of one of the calls in the grant, for the "first heads or springs of the great river, commonly called the *Patawomack*," its boundaries were extended greatly beyond the probable expectations of the parties, and embraced what is now the most productive part of the State, the lower or northern border of the great valley lying between the Blue Ridge and the Alleghanies. It was here, in the present county of Frederick, near Winchester, that Lord Fairfax afterward established his woodland capital, called "Greenway Court," and it was in surveying and exploring these lands, that Washington had his earliest training for the mighty career of his after life.

But, by a still more lavish and improvident patent, dated on the 25th day of February, 1673, the king granted to the Earl of Arlington (who was father-in-law to the king's son by Lady Castlemaine), and to Lord Culpepper, jointly, the whole territory of Virginia, for a period of thirty-one years. Alarmed by an exercise of power so unwarranted and so fraught with danger to the happiness and tranquillity of the colony, the General Assembly, in 1674, determined to address a petition to the king for the revocation of this grant, and to send agents to negotiate in England for a confirmation of their

former rights and privileges. This duty was most ably and faithfully performed by the Virginian Commissioners, and the arguments and remonstrances prepared and presented by them will compare favorably with the State papers, which, one hundred years afterward, challenged the admiration of Burke and Chatham. They especially direct themselves to the power of taxation, insisting on an unqualified recognition of an exclusive right in the General Assembly to impose and appropriate the public moneys, and a repudiation of such right in any other persons or functionaries.

They announced *in limine* that this point they were expressly charged to insist upon, and that until it was conceded, they did not feel authorized to proceed with any other question.

The propositions of the agents for Virginia for a new charter, which should embody and secure the great principles necessary to the freedom and happiness of the colony, including self-legislation and self-taxation, with the repeal of the patent to Arlington and Culpepper, and a provision that henceforward lands were not to be granted by the king, but by the Governor and Council, were referred to the Governor and Solicitor-general. They made a report to the Committee on Foreign Plantations, who presented the same report to the king in council. It was favorable to the views of the Virginia agents on all the points, and was ordered by the king to be prepared in the form of a charter under the great seal. Delays occurred in the office having charge of this branch of administration, and before the transaction was completed, news arrived of a popular outbreak in Virginia, which was made the excuse for refusing to proceed further.

The commercial restrictions imposed by the English navigation act, and which were enforced on Virginia commerce after the restoration, had produced disastrous results on the pecu-

niary and industrial interests of the colony. Tobacco, the chief export, brought but little money to the country. The taxes, which had never been levied upon property but upon polls, or *per capita*, were high, and materially augmented by the expenses of the agency at London, the necessity of which had been brought about by the extravagant and illegal territorial grants by the crown.

The king had evinced no other care for the colony, than as a source from which revenues were to be drawn by grinding exactions. Poverty and distress began to make themselves felt. A strong and general sentiment of discontent had spread through the colony. It pervaded more, or less strongly, all classes of the people. Cavaliers were wounded by the conviction that their fidelity had been repaid by royal injustice and ingratitude. A sense of oppression filled the minds of the working classes with resentment and desire of relief. An occasion was only needed for an explosion, and this was soon furnished.

In the summer of 1675, troubles with the Indians occurred, both upon the Potomac and the James river. Nathaniel Bacon, Jr., an educated Englishman, born during the civil wars, and strongly partaking of Republican predilections, had come to the country in 1672, and settled on the James river. He was a man of great address, of an imposing and attractive person, and possessed a wonderful and moving elocution. His overseer and some of his servants were slaughtered by the Indians at his plantation, near the falls of the James river, then the frontier of Virginia. He rallied a considerable force, of which he was unanimously elected the leader, and a commission as General was applied for. This, Sir William Berkley, then Governor, refused or evaded. He was suspected, at the time, of complicity with the savages, with whom, as it was alleged, he

had carried on a lucrative traffic in furs for his own private emolument. Bacon and his followers pursued the hostile Indians *without* a commission. Berkley and his Council proclaimed him a rebel, and raising a military force, the Governor went in pursuit of Bacon as far as the falls, without finding the insurgents, who had advanced into the country beyond. Returning to Jamestown, he ascertained that the planters of the lower counties had also raised the standard of revolt. Upon the return of Bacon from his Indian campaign, he was elected, by acclamation, a Burgess from the county of Henrico. The Assembly met in June, 1676. By order of the Governor, Bacon was arrested, but upon his acknowledgment that he had erred in levying war upon the Indians, without orders, and in acting without a commission, Berkley professed to forgive his offence, and promised both to restore him to his seat in the Council, of which he had been a member, and to grant him a commission as General. In the meantime, many of Bacon's friends and followers in the frontier portions of the colony, hearing of his arrest, had made their way to Jamestown. Bacon himself, having no confidence in Berkley's sincerity, and suspecting an evil design, suddenly left the little capital, but within a few days reappeared there at the head of about four hundred armed men. They demanded a commission for their leader, and authority to punish the Indians. The Assembly participated largely in the sentiment of dissatisfaction which had brought about this crisis. They provided by law for an Indian war, and created Bacon commander-in-chief. These acts were ratified by the Governor and Council, influenced probably by the presence of the military force which continued at Jamestown.

Various acts, passed at the present session under the influence of Bacon, show that the spirit of liberty was at work

among the people and their representatives. Many abuses in the administration were reformed. The right of suffrage, which, under the instruction of the king, had been restricted to freeholders, was now restored to all freemen. Vestries were to be elected by the freemen once in three years. Representatives were to be elected in every county to act with the justices in laying county levies, and persons not natives were declared ineligible to office until they had resided three years in the colony.

It is a remarkable fact that this Assembly, meeting in June, as did the Convention of 1776, which instructed its representatives in the Continental Congress to move the independence of the united colonies, completed its liberal legislation on the 4th day of July, 1676, the day rendered immortal in the next century.

Bacon, now recognized as General-in-chief, set out at the head of a thousand men against the Pamunkey Indians. Scarcely had he departed from Jamestown, before Berkley, the doughty old cavalier, who seems from the first to have been impressed with the belief that these popular movements were dangerous, and under the guise of an Indian war, some change in the government was meditated, again denounced Bacon, and declared the colony in rebellion. When Bacon received intelligence of the Governor's acts, and his efforts to get up a force in Gloucester to pursue him, he marched back to Jamestown. Berkley was without army or assistance, and on the 29th of July, with a small party, he made his retreat to Accomack, on the eastern side of the bay. Bacon and some of his Council acting with him, then summoned a convention to confer on the state of the colony. The convention met in August, at Middle Plantation, afterwards Williamsburg. We have no records of the debates of this, the first convention of Virginia. Accord-

ing to the old traditions, the argument ran high, and Bacon towered above them all. The main propositions for consideration were, that they should oppose Berkley, adhere to Bacon, and that in the event forces should be sent from England to reduce them, they would resist and suppress such force, until proper terms should be granted them, and they should be allowed a hearing before the king and Parliament. This last proposition met a decided approval. There were some who were not quite prepared to encounter the perils of resistance to the arms of His Majesty sent out from England, though willing to brave the anger and blows of his representative in the person of Berkley. While the question was as yet undecided, news reached the convention that the Governor had carried off with him the ammunition from Fort York, the principal fort in the colony, and that parties of Indians were threatening that vicinity. The indignation produced by this announcement ended the controversy, and they took an oath to resist British troops to the last extremity if sent against them.

An attempt was made to capture the Governor in Accomack, but the enterprise was defeated by the treachery of a captain of one of the rebels sent to accomplish it, and Berkley gaining possession of the ships, returned to Jamestown in the absence of Bacon on an Indian expedition, and took possession of the place. Having fortified himself, and being surrounded by a goodly number of those called by Bacon's party "rogues and royalists," whose zeal he inflamed by promises of the forfeited estates of the rebels, he felt himself secure. But Bacon, with a much smaller force, pressed the siege so warmly, that Berkley and his followers were compelled to evacuate the entrenchments by night, and made their escape.

Bacon himself, while planning other schemes of safety for the colony, was a short time afterward suddenly cut off by

disease, probably contracted from exposure during his operations, and his enterprises fell with him.

Thus ended a premature attempt at freedom, which attests the spirit of our ancestors, and bears many of the features which mark the proceedings, at a later day, of a more successful assertion of the great doctrines of popular right.

A gloomy period in the annals of Virginia followed these events. Sir William Berkley being restored to power, manifested his zeal in behalf of prerogative, by such numerous and continued acts of cruelty, as to excite the disapprobation even of his royal master, Charles the Second, who said, "the old fool has taken away more lives in that naked country, than I for the murder of my father."

Soon after Berkley left Virginia, Culpepper was proclaimed Governor for life. With Arlington he was joint proprietor of the colony for thirty-one years, and sole proprietor of the Northern Neck. The condition of the Ancient Dominion was now deplorable.

In 1683 the patent to Culpepper, as Governor for life, was vacated, and in the following year, Arlington having conveyed his interest in the colony to his colleague, that patent was also annulled or surrendered, and Virginia became again a royal province.

Lord Howard, of Effingham, succeeded Culpepper. Freedom of government was at the lowest point of depression. All officers were appointed by the crown. But the spirit of personal independence among the people never quailed. The House of Burgesses, in their conflicts with the Governor and Council, continued to exhibit the indomitable firmness of faithful representatives. The intrepid Beverly, Clerk to the House, peremptorily refused to deliver its records to the Governor and Council, when demanded of him, for the purpose of expunging

a resolution which had been adopted soon after Bacon's rebellion.

James the Second conferred no benefits on Virginia, unless it may have been by additions to her population, in convicts and exiles sent thither under the judicial labors of the "bloody Jeffries," on account of participation in the Monmouth rebellion.

The civil revolution, which placed the Prince of Orange on the English throne, vindicated, to a certain extent, the great principles of constitutional freedom, and Virginia, after a season, partook of the benefits secured to the mother country.

Religious liberty always precedes and accompanies political freedom. It is freedom of the mind which leads to freedom in action. Virginia, though adhering to the established church, had never bowed down blindly to the hierarchy. There had never been a bishop in the colony. The right of presentation by the Governors, as representing the king, had been denied, and the authority to induct ministers, upon an election by the vestries, these bodies themselves being elected by the people, had been admitted and acted on since 1642.

It has been characteristic of Virginia in all her history, to be jealous of the encroachments of power, whether in church or state. The Reverend James Blair, a native of Scotland, came to the country in 1685, and was appointed Commissary for the colony in 1689. The functions of a Commissary were not very well defined ; but by virtue of his office, he was a sort of shadowy representative of the bishop of London, and had some general superintendence over the churches. Though possessed of little power, he was, at first, watched and cavilled at, as if he had held the power of the pope. He is entitled to the great merit of having been chiefly instrumental in founding William and Mary College, only second in age to Harvard Uni-

versity, and the beneficent mother of a long array of honored sons, who have illustrated the history of Virginia in every department of the public service, both state and national. He died in 1743, having been a minister in Virginia fifty-eight years, and President of the College fifty years.

It is a curious fact, appearing in one of his own letters, that Dean Swift at one time entertained the idea of becoming bishop of Virginia. He suggests a promotion in that line to his friend and correspondent, asking the aid of his patronage to obtain the office, and adding that if unsuccessful, he might be compelled to accompany his friend Addison, then recently appointed Secretary to Ireland. Whether this is to be regarded as the expression of a real desire by the Dean to transfer his genius and eccentricities to the wilds of America, or to be placed to the account of that humor and sarcasm of which he was such an inimitable master, may be questionable.

After the "Act of Toleration," passed early in the reign of William and Mary, dissenting ministers began to make their appearance more frequently in Virginia. The people awakening to the right of freedom of conscience in all that pertains to the relation between man and his Maker, claimed to offer their worship in the modes supposed by them to be most acceptable to its object.

Virginia became also the asylum of Protestants escaping from the tyranny of Louis the Fourteenth. A considerable number of Huguenots, expelled from France by the revocation of the Edict of Nantz, came to Virginia in 1690, and settled on the James river, above the falls. Another party came over in 1699. These people were a most valuable acquisition. The sincerity of their faith, tested by persecution, and their love of freedom, engendered by oppression and cruelty, were ample pledges of good citizenship, and their descendants have ever been distinguished for high and noble qualities.

The population of Virginia long lingered on the shores of her capacious bay, and along the tidal sections of her majestic rivers. The seats of her ancient hospitality were found on the Chesapeake, the James, the York, the Rappahannock, and the Potomac. It is not wonderful that it should have been so, for it would be difficult to conceive a more inviting region of human abode. With a temperature equally free from the asperities of a Northern climate, and the burning heat of a more Southern sun, a soil of virgin richness, teeming with vegetable life, and only needing to be subdued and tamed by cultivation, to return "seed to the sower and bread to the eater," its forests and its waters instinct with life; here was the home of the epicure, and the paradise of the indolent. In no country could the means of human sustenance be obtained more abundantly or at less cost. It is so to this day, for though the soil had become worn and exhausted by improvident tillage, agricultural science and well directed industry have restored it. The railway and the steamboat have revolutionized this region of the State, and tide-water Virginia, after a lapse of two centuries and a half, still responds to the description of the gallant Smith, who beheld its pristine beauty, that "Heaven and Earth never agreed to better frame a place for man's habitation."

The wave of population rolled slowly to the West. Richmond, now the metropolis of the State, crowning the beautiful heights at the falls of James river (in sight of the old imperial wigwam of Powhattan), was laid out by Col. Byrd in 1737. The fertile and highly cultivated district lying between the falls of the river and the eastern declivities of the Blue Ridge, known as the "Piedmont District," and including what Mr. Randolph designated as "that belt of mulattoe land, so fruitful in chinquepins and presidents," was gradually occupied by emigration from the low lands.

It was not until 1716, that the passage of the Blue Ridge, hitherto considered an impassable barrier, was successfully accomplished. This *feat* was performed by Governor Spotswood, who, setting out from Williamsburg with a large retinue, and delaying a few days at Germana, the Governor's country estate and iron works, for the purpose of shoeing the horses, occupied some six weeks in the expedition. From the summit of the mountain, they beheld for the first time that magnificent valley stretching from the Blue Ridge to the Alleghany, since not more famous for the productiveness of its soil, than for the intelligence, enterprise, and patriotism of its inhabitants.

Some of the party, unused to the fatigues and privations of so adventurous a march, desired to return from the mountain top, but the more enthusiastic Spotswood was not content until he had descended its western slopes and bathed in the sparkling waters of the Shenandoah.

In commemoration of this expedition, the Governor afterward instituted the Order of "Knights of the Golden Horseshoe." In the lower country, owing to the absence of stone, it had not been usual to put shoes on the horses, but this expedition in the rocky defiles of the mountains rendered them necessary, and an extra number had been carried along.

Hence the designation of the Order. Its badge was a miniature horseshoe made of gold, and stamped with the motto, "*Sic juvat transcendere montes.*"

The lower end of the valley of Virginia was first settled by German families from Pennsylvania, under a patent to Joist Hite and others. These settlements began in 1732. They gradually extended along the Potomac and its tributaries, and beyond the mountains, to the waters of the Monongahela.

John Lewis, the father of General Andrew Lewis, who subsequently became so distinguished in the military service of

the colony, and of Col. Charles Lewis, who fell in the memorable battle at the mouth of the Great Kanawha, in 1774, was the pioneer of Augusta and the founder of Stauntin, the oldest town in the valley. Having slain an Irish lord in the county of Dublin for his arbitrary oppression, and fleeing his country with his wife Margaret, daughter to the Laird of Locklynn in Scotland, he settled in his transmontane home, in the year 1734.

The Scotch-Irish, a peculiar people, descended from a Scotch colony, planted in the depopulated county of Ulster, Ireland, distinguished for sternness of religious opinion, as also, for indomitable courage and patriotism, began about this time to take possession of the middle parts of the valley.

It was many years afterward before the fertile lands beyond the Alleghany began to be dotted with the log cabins of an advancing frontier. No pioneer had ventured into those solitudes, whose sleeping echoes were only waked by the scream of the eagle or the whoop of the painted warrior. Neither Gist or Boone had yet seen Kentucky. The Ohio then flowed in solitary grandeur for more than a thousand miles through an unbroken wilderness, its gentle surface only disturbed by the wing of the wildfowl, or the dip of the hunter's oar. It now washes shores studded on either side with the habitations of civilized and Christianized men, reflecting in its mirror waves the jocund harvests and golden fruits of regulated and active tillage; is adorned with smiling villages and crowded cities, and bears upon its bosom the diversified commerce of mighty commonwealths.

Virginia having been planted under regal auspices, and adhering to the established church, it might have been supposed she would be slow to imbibe republican opinions, and the last to set herself up in opposition to the government at home.

We have seen something of the measures adopted to keep her people in subjection, and to crush out every dawning manifestation of a free spirit. It has ever been the policy of tyrants to keep their subjects in ignorance. Sir William Berkley, in 1671, in answer to certain inquiries submitted by the "Commissioners of Foreign Plantations," touching the condition of the colony, says in his conclusion: "But I thank God there are no *free schools or printing*, and I hope we shall not have these hundred years; for learning has brought disobedience, and heresy, and sects into the world, and printing has divulged them, and libels against the government. God keep us from both."

The earliest evidence of a printing press in the colony is in 1682, eleven years afterward, when, as the record is preserved by Hening, one John Buckner was called before Lord Culpeper and the Council, to answer for printing the laws of 1680, without a license from his excellency; and he and the printer were put under bond, in the penalty of one hundred pounds, not to print anything thereafter, until his Majesty's pleasure should be known.

The most ancient relict of Virginia printing, and perhaps the first done in the colony, except the subject of Buckner's untoward experiment, is the edition of the "Revised Laws," published in 1733. The "*Virginia Gazette*," published at Williamsburg, in August, 1736, at fifteen shillings per annum, was the first newspaper in the colony. In 1719, one hundred years after the settlement of New-England, there were two newspapers published in Boston, and in 1725, one was commenced in New-York.

The "*Virginia Gazette*," though at the outset in the interest of the government, yet true to what would seem to be the very instincts of the press, afterward espoused

the popular cause, and became a powerful auxiliary in the movement which preceded the revolution, and the measures which sustained its progress.

Notwithstanding the oppressive policy so persistently adhered to by the mother country, especially during the dynasty of the Stuarts, we have seen how constant and determined was the opposition to this system. We have seen how bravely the House of Burgesses stood up against royal governors and aristocratic councils, often incurring the censure of being called "factious." We have witnessed the people themselves rallying to the standard of a popular leader, the exponent of their own principles and opinions, and willingly hazarding the penalties of treason in defence of their rights and the privileges of their representatives. It may be emphatically said, that there never was a time when Virginia was not free—free in the personal independence of her citizens, and in the innate sentiment of the popular heart. They regarded themselves as voluntary members of a political association, in a land redeemed by their own arms, and cultivated by their own labor; and not asking for voice or representation in the English legislature, they claimed the right to legislate for themselves. They demanded the rights of free-born Englishmen, and Englishmen could only be taxed with their own consent, or the consent of their representatives.

Of the prevalence of these principles, the governors had frequent occasion to speak, in their communications with the government at home. Beverly, a contemporary writer, who brings the history of the colony down to the administration of Spotswood (1710), relates that Nicholson, a previous governor, wrote to the ministers in Queen Anne's time, that "Virginia was both numerous and rich, and of republican notions and principles, such as ought to be corrected and lowered in time,

and that now or never was the time to maintain the Queen's prerogative, and put a stop to these wrong, pernicious notions, which are improving daily, not only in Virginia, but in all her Majesty's other governments. A *frown* from her Majesty now will do more than an army hereafter."

At a later period, in the reign of George the First, Governor Spotswood had occasion to invoke the attention of the ministers to the state of feeling prevailing in Virginia. He informs them that "a party was so encouraged by their success in removing former governors, that they are resolved no one shall sit easy who doth not entirely submit to their dictates ; this is the case at present, and will continue, unless a stop is put to their growing power, to whom not any one particular governor, but government itself, is equally disagreeable."

So far from Virginia's being obnoxious to an imputation of backwardness or indifference in the maintenance of colonial rights, her history proves that in every instance where she was not in the forefront of the contest, she was *Parainter paribus*. So long as the right of taxation, on the part of Great Britain, was asserted in the form of restrictions upon commerce, by means of Navigation Acts, she had less ground to complain of practical evils flowing from such exercise of authority, than the more northern colonies. They were engaged in commerce, and held extensive shipping interest. She was purely agricultural. She had no cities or market towns. English ships regularly visited her rivers, and transported her produce. She had no great interest to trade in other bottoms, or with other than British ports, receiving, as she was for the most part content to do, English manufactures in exchange for her commodities. She submitted to these restrictions, as practically innoxious to her. She never acquiesced in them, but always held them wrong in principle. Her opposition had

the more merit, because it was more disinterested. But for more than a century and a half, she had uniformly and exclusively levied all internal taxes by her own Assembly, and the first attempt to abridge this right she resented with the utmost promptitude and determination.

It must always remain the peculiar and incommunicable glory of Virginia, that she gave the first impulse to the revolution, by the passage of the resolutions of May, 1765, in opposition to the Stamp Act, when the voice of her great orator, combining the epic grandeur of Homer with the fire of the old prophets, rang out a peal which vibrated across the continent; that she was the first to institute that system of inter-colonial conference and correspondence which preceded the crisis of separation, and prepared the way for concerted and united action when it arrived; that her resolution of the 15th day of May, 1776, instructing her deputies in the Continental Congress to propose in that body the independence of the colonies, was the first authoritative annunciation of a fixed design to throw off allegiance to the British crown; that she adopted and put into operation the first written Constitution of an independent State in America, and of the first free Commonwealth in the world; that it was one of her sons, who, in obedience to her command, submitted the proposition in a Congress of all the colonies, that they should assume the rights and brave the perils of a separate and independent national existence; that another son was the author of that immortal paper which declared us a free people, and announced the causes of our separation; and that another, still dearer and more honored, was, under God, the leader and deliverer who conducted the struggle to a safe and happy termination.

It is not my purpose to speak of the services or generous sacrifices of the elder sister of the republic, during the absorb-

ing contest of the revolution ; of the conspicuous part she bore in the formative period of the government, or of her acts and opinions as an equal and honored member of a great co-partnership of free states. These have passed and are passing into history, to abide the investigation of criticism and the scrutiny of time. Her children everywhere, however, without imputation of indelicacy, may claim that she has hitherto discharged her duty and her whole duty to the Constitution and the Union, and with a faith inspired by the past, and by every attribute of her character, may promise that she will perform it to the end.

It was not by what the world calls accident that the fairest and most productive quarter of our globe was made known to civilized man, and opened up for his habitation at the precise periods when those events occurred, or that its occupancy and development were reserved for specific races of men, best of all others adapted to affect the ultimate destiny of the land submitted to their domination ; nor that in the mode of its subjugation and settlement it should have been in parcels, by separate and distinct companies and colonies, who should cherish the remembrance of their respective origins, and preserving their own institutions and customs, should become, in the fullness of time, independent confederated states, retaining state equality and state sovereignty, but forming a union of the whole for protection and safety, both external and internal—the only practicable scheme of a free representative government applicable to a country of such territorial dimensions, and by consequence, of such diversified interest.

In the fact that the portion of the new world now embracing the great American Union was settled after the discovery of the art of printing, and the revival of letters from the slumber and darkness of the middle ages ; that it was at a time when

the feudal system, with its restraining and benumbing influences, was everywhere giving way, and subsequent to the reformation of the doctrines and practice of the Christian church, none can fail to perceive the rulings of the Almighty wisdom, which governs in the armies of heaven and among the inhabitants of the earth.

If the *time* for the beginning of the great work was fitly chosen, the agents by whom it was to be accomplished were not less so. The Anglo-Saxon and Celtic races, adapted, both by physical and mental capabilities, for the high destiny of founding a great empire, with admixtures of the Huguenot blood of France, were the primitive stocks still predominating, upon which have been engrafted varieties from nearly all the tribes and divisions of the human family. They brought with them the principles of civil liberty, and they planted here the institutions, social and political, under which those principles were to expand and be protected.

We need only contrast the history of the United States, springing from English colonies, the stability of its government, and the general excellence of administration, with the history of Mexico and South America, planted by Spain and Portugal, to demonstrate that with us the human agencies and instrumentalities of national growth and power have been more auspiciously solicited.

I have intimated that the settlement of this country, by separate colonies, under distinct government, and at successive periods, rather than by a united attempt to occupy under a single jurisdiction, might well be referred to that providential guidance of which our history furnishes such abundant evidence. It has already been alluded to, as the head-spring of that federative feature of our system, so often confounding the foreigner with what he esteems the complexity of its machine-

ry, and yet so potential in the harmonious operations of the whole, with its several parts, and so essential to the safe expansion and perpetuity of our Union.

The conflict with the mother-country, which terminated in our independence, found the people of this country divided into thirteen colonies, independent of each other, and without any bond of union, except that arising from their common origin and allegiance, and that which existed in their common interest against the hostile legislation of Great Britain, especially the power of taxation claimed by the king and Parliament. The necessity of combined power and united counsel, was apparent from the outset. These were sought to be obtained, first by the articles of confederation, and afterward by the Constitution. In every stage of their progress, and under all circumstances, they retained their distinct appellations, and their separate governments and nationalities. The most important and most numerous subjects of legislation, were left exclusively to the state governments. These having jurisdiction over smaller territories and less population, each knowing perfectly the genius of its own people, and holding their primary affection and confidence, are incomparably better fitted to legislate in all matters concerning internal and domestic affairs than the general government can be. Reserving to themselves all power, not expressly, or by implication alienated to the government of the whole, the people of the several states, or rather the people of the United States, acting within the civil organizations of separate states, have vested in the federal government certain powers and functions, necessary to the purposes of its creation. Both these governments are governments of the people, formed for prescribed and distinct objects, each equally sovereign, within its appropriate sphere, and constituting together that beautifully blended system of state and national

sovereignty, which, while it is without model or precedent, and sometimes presents the appearance of antagonism, may well be regarded the most self-correcting and self-perpetuating government which the wit or the wisdom of man has ever devised.

It has been esteemed an improvement in naval architecture to construct the vessel's hull in different segments, each perfect of itself, and while aptly and firmly joined together, yet so framed that each apartment, in the event of disaster shall bear its own burthen. One or more of these segments may spring a leak, either by the violence of hidden rocks, or the wrenching of the storm, but the uninjured parts will still buoy up the whole, bringing passengers and cargo in safety to the shore.

So with our ship of state. It is made up of separate political organizations, each a complete Commonwealth of itself, but united together and forming a single nation. Some of the states composing the confederacy may have just cause of complaint. Others, without cause, may be dissatisfied, and disturb the general harmony by threats of dissolution. Some, unmindful of the obligations of national brotherhood, may for a time neglect or refuse to perform the duties which the constitution imposes on them. But there always has been, and it is to be believed there always will be, at every period of danger, a sufficient number of the states, sound and true, unaffected either by passion or the decay of patriotism, to bear up and hold together the whole union.

The existence of state governments insures the perpetuity of our system, so long as the rights of the states and the rights of the general government are severally respected. They both have appropriate and appointed orbits, and cannot come in contact with one another, without improper working of their machinery, or some interference with the laws of their motion.

If this improper interference comes from the federal government, it is an infringement on the rights of all the states, which are equal and identical, both in the powers which they have reserved, and those which they have delegated, and in such event, a sufficient number of the states will always be found in co-operation, by their action at the ballot-box, by argument and remonstrance, and by the exercise of their reserved rights, to check the aggression, and bring about correction of administration.

On the other hand, in the event of collision between states, each, as a separate Commonwealth, is armed with defensive power of its own, which may be immediately put into operation; in addition to which it is the duty of the general government to suppress internal violence, as well as external assault, and to keep the peace among the states. Peaceful remedies are also lodged in the proper tribunal. By the Constitution, the judicial power extends to all "controversies between two or more states"—"between a state and citizens of another state," and "between citizens of different states."

In the arts, simplicity of construction and operation is, as a general rule, a test of excellence. This is not applicable however to the higher combinations of human governments, or to the laws governing the works of the Supreme Architect. We see antagonistic forces employed by a wisdom which is above man, to resist and balance each other. The orbs which roll in silent beauty above us and beneath us, are held with undeviating accuracy in their magic circles, by the very power of opposing tendencies. It may well be said

"All discord is harmony not understood." †

Every simple government is prone to misrule and despotism. There must be the same quantity of power in all gov-

ernments. There must be an authority over life, liberty, and property. Without such power, no government could exist. The difference between a despotic and a free government consists in this, that in the one all power is concentrated in a single head, which must necessarily be irresponsible; while in the other it is distributed among various bodies of magistracy, each acting as a check on the other.

Now with us, we not only have this distribution of powers, and these checks, both in the national and in the State governments, but then we have also these two governments themselves, acting as checks and balance wheels on each other.

While, then, we may justly congratulate ourselves on having the freest government in the world—a government under which the rights of the citizen are furthest removed from the danger of violation, and in the administration of which every citizen participates, I see no reason why we may not, at the same time, regard it the strongest and most likely to be permanent, of all the systems of government which have been instituted among men.

I confess that my mind has been accustomed to consider the Constitution of the United States as a covenant of perpetual obligation, having binding efficacy under all circumstances and for all time. That great instrument, the loftiest conception of political wisdom known to history, was but a solemn avowal, in the form of a written agreement between free States, of the absolute necessity of their condition.

Long anterior to the Revolution, the colonies had become accustomed to look on each other as bound together in a common fate. They had a common parentage, except the territory now comprehended in the States of New-York and New-Jersey, which had been discovered and settled under the auspices of the Dutch West India Company, and was known as

the New Netherlands. But as early as 1664 this too came under English rule, thus harmoniously arraying all the colonies under one general jurisdiction. The conquest of New Netherlands removed the only wedge of separation which divided the English colonies, and New-York and New-Jersey united Virginia to New-England.

And these States, distinguished for deeds of patriotism, and upon whose soil the mingled blood of all the colonies was poured out in the battles of the Revolution, will continue to hold the North and South together in fraternal bonds.

Proof is not wanting, not merely of friendly relations between the colonies, at an early period in their history, but of a tendency to reciprocal dependence and union.

There was a confederation of the New-England colonies as early as 1643. This was brought about for the purpose of protection against the encroachments of the French from Canada and Acadia, the Dutch from the Hudson, and safety against Indian aggression. It continued for more than half a century.

The assemblage of the Governors of Virginia and New-York, and the Agent of the New-England Confederacy, at Albany, in 1667, to treat jointly with the Five Nations, belongs to that system of colonial action developing an early proclivity to united counsels.

When, during the administration of Spotswood, South Carolina applied to Virginia for military aid to repel Indian invasion, succor was not only furnished, but the Virginia authorities also addressed communications to the Governors of Maryland, New-York, and New-England, urging those colonies to furnish assistance by sea.

The war with the French and their Indian allies, and which was brought to a termination by the Treaty of Paris, of 1763,

served not only to give confidence to the inexperienced troops of the colonies, brought now for the first time, both in aid and in conflict with the drilled soldiery of Europe, but was also suggestive of what might be accomplished by the united forces of the colonists themselves.

For more than half a century it had been predicted that the colonies would in time set up for themselves, and always, that they would act together in forming a new government. When the time arrived, they did act in concert. They assembled a Continental Congress, composed of deputies from all the colonies. As *united colonies*, they levied war, raised armies, and appointed a Commander-in-Chief. It was as *united colonies* that they declared their independence, and set out in the career of a free people. It was as *united colonies* they achieved that independence. When peace was made, and independence acknowledged, it was by a treaty with the *United States of America*, and it was the independence of the *United States of America*, acquired by the blood and treasure of all the colonies, that was acknowledged and admitted by the mother country.

The Articles of Confederation, purporting to be signed and ratified on the 9th day of July, 1778, and which remained in force until the adoption of the Constitution, are styled "Articles of Confederation and *perpetual union of the Colonies*."

The Constitution itself, adopted and ratified by the people of the several states, carries on its fore-front the unmistakable announcement of its origin and purpose :

" *We, the people of the United States*, in order to form a *more perfect union*, establish justice, *insure domestic tranquillity*, provide for the common defence, promote the general welfare, and secure the blessings of liberty to *ourselves and to our posterity*, do ordain and establish this Constitution for the *United States of America*."

There never was a time when any one of the states, singly and of itself, was free and independent. No single state achieved its liberty, either by conquest or by treaty. Each state, as a member of the "United States," partook of the freedom and independence acquired in the name and by the energies of all, acting in combination, and under an agreement of "perpetual union."

One of the great difficulties experienced under the Articles of Confederation, was that the Continental Congress had no power to enforce its own enactments. These were to be executed by the several states. The result was, that the enactments themselves, instead of having the efficacy of law, were more in the nature of recommendations, and in case they were not carried out by the states, there was no remedy. There was an absolute necessity for a government whose powers of action, on all subjects committed to its jurisdiction, should pervade the states, and whose laws should be capable of execution, *proprio vigore*.

The modern heresies of nullification and secession are alike unknown to the Constitution. The supposed right of a state to withdraw from the Union, at its will and pleasure, is utterly subversive of every just conception of our system of government; is inconsistent with all the incidents of its history, and finds no more warrant in the Constitution, than does the authority sometimes claimed for the states to abrogate or impede the execution of a law of Congress, while remaining in the Union.

The right to withdraw, or to overthrow, is a right which belongs to the people of the states and of the United States, but it is *outside* the Constitution. It is that right which belongs to the people, under every form of government; a right when oppression becomes intolerable, to resort to revolution.

Thus far in the progress of our great experiment, the government instituted by our fathers has happily surmounted all the obstacles which have at any time obstructed it, and escaped all the dangers by which it has been threatened.

There is at this time, as it is believed, but one subject of political controversy of sufficient magnitude to disturb the general harmony, and this, in the sober judgment of the more thoughtful, has assumed its present angry aspect, under the influence of mismanagement and passion, rather than by reason of any intrinsic difficulty of the questions which it presents.

In the dealings of Providence, the white man, the red man, and the black man, were brought together on American soil. In the same year that the Puritan fathers of New-England landed at Plymouth, and began to lay the foundation of their political structures, deep in the principles of human equality and republicanism, and shortly after the first representative assembly of Virginia, twenty African negroes arrived in the James river, on a Dutch ship, and were sold as slaves.

The fate of the red man has already been adverted to. The conjunction of the Caucasian and the Ethiopian was not destined to such disastrous results. History has proven that freedom and slavery may "flourish in social proximity," and experience has demonstrated that if either has suffered by the contact, it has not been the subjugated race. If Africa has been aggrieved by the new world, in the reception of a portion of her people as bondsmen, America has more than redeemed the wrong, by the elevation of their condition; and now, after the civilizing and Christianizing influences of a little more than two centuries, she presents to the world some four millions of their descendants, incomparably superior in all the elements, to any like number which now exist, or ever existed in the home of their ancestors.

This is not the time, or the occasion to enter upon any vindication of an institution established by the laws of fifteen of the states of our federal Union. Under the peculiar and happy conformation of our system of government, to which I have before referred, every matter of an exceptional nature is restricted to the recognizance of the state tribunals. If slavery be an evil, either moral or political, it is one attaching solely to the states within which it exists, and does not extend to those which refuse to tolerate it, or to the nation. The question of its establishment, its maintenance, or its abrogation, is purely domestic, and belongs exclusively to the jurisdiction of the state governments. Neither the general government, nor the non-slaveholding states, have the slightest right to interfere with the relation of master and servant, as it exists in the slave states, more than with the terms of apprenticeship, the distribution of property, imprisonment for debt, the right of suffrage, or any other matter of state policy or regulation. Upon all these subjects the state is supreme and sovereign, never having delegated to any other power a right to take jurisdiction over them.

At the beginning of the revolution, *all* the colonies held slaves. Previous to the formation of the federal constitution, in 1787, Massachusetts, by a decision of her Supreme Court, pronounced slavery to be inconsistent with her Bill of Rights, which declared all men by nature free and equal, and it was held to be abolished. Some of the other northern states had, perhaps, taken initiatory measures for prospective emancipation. Several of those commercial states had been actively engaged in the slave trade, and some of them, at one time, possessed nine slaves in proportion to their white population, than others of the southern states. Climatic influences had more to do with the abolition of slavery in some of the north-

ern States than conscientious scruples as to the lawfulness of the institution.

But few questions arose, or could arise, in forming the Constitution of the United States, connected with the institution of slavery. It belonged to the states to determine, each for itself, in its own way, and in its own time, whether that institution should be allowed or disallowed within their respective limits. The general government, which was about to be invested with the power over commerce—one of the leading necessities which brought about the formation of such government, would necessarily have authority to legislate on the subject of the foreign slave trade. There was a general concurrence of opinion that the importation of slaves should be arrested. South Carolina and Georgia were not willing that this prohibition should take place at once, and the question was finally adjusted by the ninth section of the first article of the Constitution, under which Congress was forbidden to prohibit the “migration or importation of such persons as any of the states now existing shall think proper to admit,” prior to the year 1808. This is one instance in which the Constitution, recognizing slavery as an existing fact, and looking to its continuance, deals with the subject in its external incidents, and provides that the increase of slaves, by foreign importation, into any state desiring to receive them, shall not be arrested prior to the day assigned.

It is well known that Congress did prohibit the further importation of slaves, by a law which took effect as soon as the Constitution permitted its operation, and also declared the slave trade thereafter to be piracy. In all this the South has fully acquiesced, and, I verily believe that, notwithstanding the sectional strifes and animosities which have so unfortunately been engendered of late years, by extremists on both

sides, there is no considerable number of the southern people who would be willing to-day to have the act of Congress repealed, and the slave trade re-opened. Virginia is thoroughly committed against it, by all her antecedents, and by the present convictions of her people of all parties and all classes. It may be said with truth that the people of Virginia entertain a traditional and hereditary opposition to the slave trade. Repeatedly, during her colonial condition, the General Assembly passed prohibitory laws against this traffic, and imposed prohibitory duties on the importation of slaves. But these enactments were uniformly negatived by the Governor, or by the king.

The Convention of May, 1776, which framed the first State constitution, and instructed their deputies in Congress to move the independence of the colonies, adopted resolutions prohibiting the further importation of slaves. This was eleven years in advance of the Constitution of the United States. The first moment of her existence as an independent commonwealth was employed to announce this fixed sentiment and desire, which had been so often defeated by those who ruled her destiny as a colony.

Again, in the Virginia Convention of 1788, convened to consider and discuss the Constitution of the United States, the postponement of the prohibitory action of Congress until 1808, was strongly urged as a reason against its ratification.

Another provision of the Constitution, which has relation to the slave population, is that which prescribes the apportionment of representatives and direct taxes. Under the articles of confederation, the states met in the General Congress as sovereigns and equals, each having the same vote upon every question, and not in proportion to their respective population. It became necessary however, to adopt a rule of contri-

bution toward the expenses of the government, and to carry on the conflict in which they were engaged. It was inconvenient, if not impracticable, to ascertain the wealth of the several States, as a basis of taxation. It was easier to adopt numbers as an exponent of contribution, and it was believed the result would be a sufficient approximation to the relative ability of the respective members of the confederacy. When, however, it came to be determined what classes should be embraced in enumerating the population of the several states, a question arose as to the disposition to be made of the slaves, who formed a part of the numbers. The southern members argued, that if included at all, the whole number should not be counted as persons, inasmuch as they were less productive than white laborers, and, in some instances, a mere charge and burden. On the other hand, it was maintained, by northern gentlemen, that they should all be taken into the estimation. Mr. Adams declared that they were as productive as the fishermen and other laborers of the North, and that there was no more reason to exclude the one class than the other. In that spirit of wise conciliation, which so distinguished the founders of the republic, the difficulty was adjusted, by providing, that in making up the quotas of the several States according to their population, three fifths of the slaves should be included.

In the Convention of 1787, the question was presented in a different aspect. It now became necessary to determine how far the slave population was to become a basis of representation as well as of taxation. A "more perfect Union" was about to be formed. A national government was to be established, with a legislative department, in one branch of which the states were to be represented as states and as equals, but in whose other hall, the people of the states, as component parts of the whole nation, were to be represented according to

their numbers. Here parties and sections changed front. Each state was anxious to obtain as large a share of representative power as it could. It was admitted that population, not wealth, was the true basis of representation. But northern men now contended that slaves should be regarded as property, not as persons, and that they should not be enumerated for representation. On the other hand, it was maintained by the South, that equal and confederated states being about to form a national Union, each had a right to count its whole population, without regard to peculiarity of condition, as to any portion of it; that one state had no right to inquire into the character of the people of another state, and ascertaining that a part were apprentices, a part indented servants, and a part slaves for life, make the terms and conditions of a Union depend upon the nature of its population.

Again, the good genius of compromise and conciliation presided over the deliberations and conduced to a happy result. The controversy was adjusted by modifying the claims of each party, and adopting three fifths of the slave population as a basis both of representation and taxation. The only remaining provision of the Constitution, relative to slavery, is in the following words :

“No person hired to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.”

This mandate of the Constitution, which is as imperative and obligatory as any other portion of the instrument, was but the codification of a principle, recognized to some extent in the comity of nations. The reclamation of absconding appren-

tices, indented servants, and fugitives from justice, was allowable between independent and unconnected states; and, in some instances, became the subject of treaty stipulations. There is nothing objectionable in the principle itself. It is only permitting the fugitive to be returned to his former *status*, to be judged and disposed of, whether claimed for service or crime, by the laws of his domicil. If it be the case of an escaping debtor, there is no reason on principle why he should not be returned to answer the demand of his creditor, according to the law under which his obligations were contracted. If it be the case of a murderer, or other felon, the common safety of all requires that he be punished, but the appropriate punishment can only be inflicted in accordance with the penalties of the law which he has violated. He must, therefore, be returned to the place of his crime.

The fugitive slave is, by the law of the state from which he escapes, the property of his master. The owner has a right to pursue and retake. Conceding the right of every country to devise and enact its own laws of property, and to regulate its own domestic affairs, it is difficult to perceive upon what ground, even under the mere comity of nations, the government to whose jurisdiction the fugitive may escape, can undertake to determine the question of surrender, or detention, by first deciding the propriety or impropriety of the statutes in force in the country from which the person has fled. Virginia, surely, would not have been justified in withholding from the authorities of North Carolina a horse-thief fleeing across the border, because the offender, if found guilty in the latter state, would by her law be punished with death. It has been decided, however, by the English Courts, that on the arrival of a slave within the British realm, he became free; that slavery being unknown to the common law, and

not allowed by statute, could not be recognized as a personal condition, either temporary or permanent, and in the absence of treaty stipulation, the restoration of the person claimed would not be adjudged.*

As if to avoid all doubt or question on the subject between the American States, it was expressly provided by the fundamental law of the Union, that persons bound to service in one state, escaping into another state, shall not, by any law or regulation therein, be discharged from such service or labor, but shall be delivered up on the claims of the party to whom such service or labor may be due.

The language of this clause of the Constitution is plain, precise, and significant. There is no mistaking its import, or escape from its obligation. No law or regulation of a non-slaveholding state, can discharge a person who flees into such state from the service to which he is held under the laws of the state from which he may escape. Neither the people or the legal tribunals of the state in which he may seek an

* As early as 1662, Virginia had reason to complain of the illegal discharge of a servant belonging to one of her citizens, by the Court of Boston. The occurrence is not without interest, as the first recorded example of an extra-territorial claim to interfere with the relation of master and servant, and the earliest precedent for that system of retaliation which has been of late years proposed in some of the Southern States, and which such interference is so well calculated to suggest to minds inflamed by a sense of injury.

The proceedings of the Assembly, on the occasion referred to, are thus preserved :

“The Committees report that the great loss and damage sustained by Mr. William Dromond, through the injustice done by the Court of Boston, in New-England, ought to be repaired ; and since the said Court have returned no satisfactory answer to the letter of the honorable Governor and Council of Virginia, we are necessitated to find the least of ill expedients to repair the said Drummond ; it is therefore ordered by this present grand Assembly, there be seized, to the value of forty pounds, sterling money, out of the estates of some persons relating to the said government of Boston, which is in consideration of wages due for such a servant's time, as was illegally claimed from the said Drummond's employment, in New-England, and doe accordingly order the same.”

asylum, are permitted to consider whether he is rightly held to service by the laws of the state from which he has fled, or otherwise. It is not their province to determine whether slavery is an evil or a blessing, or whether consistent or inconsistent with the will of God: the only question being, "is he held to service or labor under the laws of the state from which he has come?" If he is so held, then, whether such law be right or wrong, he is "to be delivered up to the party to whom such service or labor may be due," notwithstanding any law or regulation of the state into which he has fled.

Now here is a duty, not resting upon national comity merely, or the obligations of a treaty between independent nations, but upon a solemn covenant, constituting an essential condition of that bond which was to unite us forever as one people. It was the compact made by our fathers, for themselves and their posterity, and never to be broken or forgotten. They had to deal with all the difficulties growing out of the existence of African slavery. They met those difficulties in the spirit of brave, true-hearted patriots, and looking them full in the face, disposed of them justly and with far-seeing wisdom. They did not hesitate to provide for the rendition of fugitives from service. They concurred with the great apostle of the Gentiles, that it was not only no moral offence, but a positive duty, to return the runaway slave to his master, leaving the sin of the relation, if there be any, between the master and his Maker. We have no right to set ourselves up as better or holier than they.

Nor are the governments of the non-slaveholding states called upon to perform any unwelcome or distasteful duty of legislation to carry out this requirement of the Constitution. The legislative, executive, and judicial powers of the General

Government are operative, in every state, upon every subject connected to its jurisdiction. This is one of those subjects, made so by express provision. Congress has, by legislation, supplied the remedies. It is the duty of the Federal Courts to expound and interpret this legislation, whenever an occasion for their interposition shall arise, and of the National Executive to see that the law is faithfully executed.

The Southern States do not ask, at the hands of non-slaveholding states, any legislative action in aid of their rights. Their rights are secured by the Constitution, and are to be enforced by laws passed in pursuance thereof.

All that is required of the non-slaveholding states is, that they will abstain from nullifying or impeding the acts of Congress made to carry out and fulfill this constitutional provision. They are asked to permit the Constitution and laws of the nation to be enforced within their limits, without let or hindrance. They are expected, in the courtesy of neighborly commonwealths, but more especially in the spirit of fraternal concord, and by the ties of constitutional obligation, to tender no invitation or encouragement calculated to inspire our colored population with discontent at home, or induce them to escape therefrom; that when fugitives from service, they will not obstruct their recapture, nor be found in hostile array against the mandate of the organic law, which requires the surrender of the fugitive.

Is there anything of odium or of hardship in this? Anything which the virtue of good citizenship would not induce us to do apart from legal obligation? Should it be regarded by any one a disagreeable duty to comply with the constitution and the law which he is sworn to support, especially when that duty may be performed by mere inaction and silence? There is nothing whatever connected with either

the enactment or execution of the fugitive slave law which should for a moment produce either private disquietude or public excitement. A simple acquiescence in the plain and reasonable duties which the Constitution and laws impose; a mere forbearance to do acts which violate both will tranquilize the public mind and re-inaugurate those peaceful and happy relations among the American people, which every motive of interest should conspire to restore and maintain.

The topics connected with slavery in the territories of the United States are too numerous and important to form a subject of general discussion now. Besides, they have been permitted to enter so largely into the party politics of the day, and constitute so potent an element in the political agitations in progress at the present time, that their consideration, in some of the aspects which they present, might not be deemed germane to the occasion which brings us together.

We are assembled, however, to commemorate the laying the first foundation stone of that mighty fabric of free government which, having hitherto withstood the fury of the storm and the rocking of the earthquake, and become politically "the hope of all the ends of the earth," is said now to be tottering to its fall, by reason of some inherent weakness or vice in its constitution. Surely, it is not out of place, in contemplating the beginning, to glance also at the threatened consummation, or to inquire whether there is, in truth, some irremediable disease in the body politic, which must, necessarily, bring it to an end, or whether so dire a catastrophe may be averted.

I assume that the Union is not to be dissolved on account of any abstract opinion, by whomsoever or wheresoever entertained. There must be some practical evil, some injury inflicted, some right withheld or invaded, of sufficient magnitude to

justify such an event, before the citizens of any portion of the country would set themselves to work to bring it about.

Now, there is at this time, no practical issue presented in regard to slavery in the territories, nor can there be, except as the territories shall successively apply for admission into the Union, as states. None of them are applicants, except Kansas. This territory, after having been made the scene of unprecedented excitement, and of bloody feud, has framed a constitution which excludes slavery, the people thus deciding the question at the proper time, and in the mode most acceptable to themselves. The South has always maintained it to be the right of the people of a territory to decide this question for themselves, when they come to form their constitution, and to assume the rights of a sovereign state. The South therefore, stands pledged to the admission of Kansas—so far as that point in her application is concerned. To the North, this feature of the Kansas constitution is, of course, unobjectionable—and no difficulties can occur on that subject.

The same principle has been settled in the cases of Utah, New-Mexico, and Nebraska. By the law of their organization, as territories, they are to be admitted, with or without slavery, as shall be provided in their respective constitutions when they shall become states. There is no just ground to apprehend that there will be any difficulty when new states shall be carved out of the territory now included in the State of Texas, or to anticipate that objection will be made to their admission, if their constitutions shall allow slavery.

Why then should we vex ourselves with questions which may never arise, or which may never have the slightest practical importance? Why talk about dissolving the Union on account of evils which may never occur.

There is this distinction between the Government of the

United States and those of the states. The states are original governments, retaining all the powers which they have not parted with; while that of the United States is secondary, created by compact, and has only such powers as have been delegated to it. The United States holds the territories as a trustee for the common benefit of the people of all the states. It holds them subject to the right in the people of the territory to form a state, when its population is sufficient, and to be admitted into the Union with such a constitution as they may prefer; Congress having no right to prescribe its character, except that it be republican in form.

A territory, so long as it remains in a territorial condition, is an appendage of the General Government. In some instances the United States have governed the territories by the direct legislation of Congress, while in others, from motives of convenience, this power has been delegated to a territorial legislation, subject to an authority of revision or repeal, reserved to the National Legislature. I think it may well be admitted that Congress, on its part, has no right to establish slavery by law in the territories, for two reasons: First, because acting as trustee, it has no right to administer the trust-subject in a manner that may prejudice the rights, either of the people of the States at large, who are the *cestuis que trust*, or of that portion of them who may settle in the territory, and upon whom, sovereignty is ultimately to devolve when it shall be erected into a state. Secondly, because such action of Congress, if binding at all, could only be so during the continuance of the territorial *status*, and could not affect the right of the people, after it had become a State, to abolish slavery, if they should think proper to do so.

If the proposition that Congress has no right to establish slavery in a territory be true, the converse of that proposition,

which is, that Congress has no right to prohibit slavery in a territory, is equally true. The existence of the power in the one instance, rests upon the same ground precisely as the other.

Another consequence must also follow, that the power of a territorial legislature being derivative, and in substitution of the power of Congress, cannot exceed the original jurisdiction from which it descends, and that if the General Government has no authority to establish or prohibit slavery, neither has the special government of the territory.

It would seem to be a conclusive answer, both to the mooted question of "Squatter Sovereignty," and the "Wilmot Proviso," that neither a law of Congress, nor of the territorial legislature, can preclude the action of a state when once clothed with the attributes of sovereignty. Suppose the people of Ohio, in the exercise of their unquestionable right to alter, reform, or abolish their present constitution, should determine by a new state constitution to admit slaves, notwithstanding the ordinance of 1787, or that Oregon, now that she has become a state, should think proper to establish slavery, notwithstanding the "Wilmot Proviso" inserted in the act organizing it as a territory; where is any power to prevent it in either case? Or suppose, *e converso*, that in the act organizing New-Mexico, it had been, or that in establishing a territory hereafter in Texas, it shall be, provided, that slavery should exist in the territory, and that they shall come in as slave states. Can any one doubt the power of the people, in either instance, to abolish slavery at any time they may think proper, after they shall have been admitted into the Union as equals with the other states? How, in any of these hypothetical cases, would the power of Congress be vindicated as against the disobeying state? Take the example of Ohio, or Oregon, who are supposed to have established slavery by a

new constitution, could Congress set the slaves free? Could those states be forced to change their organic law? Could they be put out of the Union? If the slave should sue for his freedom, the state courts would be bound to sustain the state constitution, for they could have no power to declare the constitution to be *unconstitutional*. If he should go before the Federal tribunals, he would be met by the decision of the Supreme Court in the "Dred Scott" case, (conclusive on that question, if on no other,) that suits of negroes, claiming to be free, cannot be instituted in the courts of the United States. If the slave and the master were both inhabitants of the same state, he would be cut off on another ground also, that if even he were entitled to be considered a citizen of the United States, the Court only takes jurisdiction between citizens of different states—or, if these difficulties were overcome, would not the Supreme Court, upon every principle, and on the whole theory of our government, be forced to hold that the new constitution was the legitimate offspring of that uncontrollable power of a sovereign state, by which it may establish its own institutions, and regulate its own domestic affairs, and that this right can no more be impaired by legislation in advance, than by subsequent interference.

Take the example of New-Mexico, or of a state formed out of Texas, supposed to have come into the Union with slaves, and with that condition prescribed for them by the laws organizing them into territories, and after their admission having abolished that relation—who could complain? Would the slave owner be entitled to complain that he had settled in the state, with his property, while a territory, and upon the faith of the provision that it was to be a slaveholding State, and that the new constitution abolishing slavery was void, because unjust and invasive of vested rights? Could he invoke the aid

of the General Government to sustain him against the action of his own state? Would the General Government, by the action of any of its departments, legislative, judicial, or executive, or by all united, have any power to compel the state to adhere to the condition of its original organization, and re-establish slavery? None will maintain that any such authority exists. Does it exist in the one case more than in the other? If the government of the United States has no power to force a state to restore slavery, having abolished it, can it, by any possibility, have more power to compel a state to abolish the institution, after the state has established it?

Under the Constitution, the states of this Union are to be equal—equal in all the rights, powers, privileges, and immunities belonging to free states. If ordinances, acts of Congress, and acts of territorial legislatures, stamping peculiarities of condition upon states afterwards to be formed, are lawful and binding, what becomes of this equality among the states? Massachusetts or New-York may re-establish involuntary servitude, should they think proper to do so, neither the ordinance of 1787, or any act of a territorial legislature having impaired that right. Ohio and Oregon may not, because of certain restrictions placed upon them at their birth. Virginia and Kentucky may abolish slavery when to them it may seem good; but states which have come into the Union since, with that institution provided for them by acts of Congress, cannot alter their condition.

I have ventured to submit these remarks, on a subject which has been made to assume an unusual degree of interest, for the purpose of deducing this conclusion, that neither Congress, nor the territorial legislature, should attempt either to establish or prohibit slavery; that their action on the subject is a nullity, which of itself proves both the inexpediency

of the act and the want of power to perform it; that the only authority competent to decide the question of slavery or non-slavery belongs to the people of the territory themselves, *not* while in a state of pupillage and dependance, without power, except that conferred by Congress, which itself has no power to decide, but when they put on the *toga virilis* of nations, and assume the high responsibilities and rights of sovereignty.

Let the territories remain without restriction, open alike to settlement by the citizens of all the States. If Southern men choose to take their servants with them, they will do so at the hazard of having their right to retain them there terminated by the inhibitions of a State constitution, when one shall be adopted. All they ask is equality of right. They may not choose to go; what they deny is the right of any power to exclude them from the territory, the common property of the nation, if they shall think proper to take their chances there.

We all remember that not many years since, under a rule of the House of Representatives, abolition petitions were refused to be received, and how persistently the petitions continued to be presented, and what consumption of time and scenes of confusion that rule brought about. It was afterward rescinded, and since that time scarce a petition has found its way to Washington. It was not that the petitioners expected their prayers to be complied with so much as a desire to make a vindication of the right of petition. We, of the South, are now satisfied that it is best to have no prohibitory rule on the subject.

The same result would follow, in some degree, if Congress and the territorial legislatures, omitting all enactments of exclusion, would be content to leave the question of slavery to the influence of natural causes, and the decision of the proper parties at the proper time.

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stitute, as most appropriate, a beautiful poem, furnished for the occasion by one of Virginia's gifted sons, and which, he had no doubt, would be enjoyed as a rich treat by all present. He then requested the Vice-President to read it, which he did admirably, and in the midst of deafening plaudits.

VIRGINIA! in our flowing bowls
 Thy name we would remember,
 Dear as is Plymouth to the souls
 Of Pilgrims in December,—
They hold their banquet as the gloom
 Of Winter round them closes;
Our festive board is all abloom
 With Spring's returning roses.

The poet sings our fathers' deeds,
 Their forms and phrase outlandish,
 And yet how far our age exceeds
 The age of Smith and Standish.
 The modern pilgrims journey all
 By steam o'er land and ferry,
 And we the "Starving Time" recall
 In turtle soup and sherry.

Still, something noble, we may learn,
 In yearly thus reviving
 The virtues of those settlers stern—
 Their suffering and striving.
 Our fathers wore a knightly grace
 Above their fiery passion,
 Which, like their doublets and their lace,
 Is sadly out of fashion.

The Spaniard traces in the Cid
 The Campeador's glory,
 The stirring Niebelungen Lied
 Tells many a hero's story—
 O, more than any German myth
 The highest praise deserving,
 When shall you have, brave Captain Smith,
 Your Halleck or your Irving?

What though, indeed, you left behind
 No chivalrous descendants,
 In other days a sword to find,
 And fight for independence—
 Bear witness to your lofty traits,
 Our proud historic pages—
 The ancient Mother of the States
 Shall cherish them for ages.

Your valor, proved in Paynim fights,
 And tried by wild disorder,
 With Spottswood's "Golden Horse-Shoe" Knights
 Went trooping o'er the border:
 It stood on York's embattled lines,
 With yet a presenee grander,
 And still its undimmed lustre shines
 In Scott, the great Commander.

Loved Commonwealth of boyhood's rule !
 What recollections cluster
 Around the whitewashed, old-field school,
 The County Court-House muster ;
 From all the city's toils and gains
 Our hearts are turning now, sirs,
 To dwell in those sweet Argive plains
 Where first we donned the trowsers.

Still does the wavy Ridge extend
 Its outlines soft before us—
 Still does Virginia's blue arch bend
 In tender beauty o'er us ;
 The oldest exile breathes her air
 With all the latest comers,
 And here to-night we gladly share
 The fervor of her SUMMERS !

"A land of just and old renown,"
 To native or to resident—
 "Where Freedom broadens slowly down
 From *President* to *President*"—
 We change the Laureate's line—too bad !
 But think in all her crises,
 How many Presidents she's had,
 How very few of *Vices*.

Then, brothers of the good old State,
 Permit an absent rhymers
 To pledge the day you celebrate,
 But not in Rudesheimer ;
 He likes, whatever others think,
 Virginia's own libation,
 A whiskey julep is the drink
 That typifies the nation !

The ice we take of liquid blue
 From Wenham's crystal fountains,
 The whiskey sparkles with the dew
 Of old Virginia's mountains—
 The sugar borrow without stint
 From sunny Opelousas,
 By every stream springs up the mint,
 From Kennebec's to Coosa's :—

Que voulez-vous? 'Tis this we wait—
 A wheat straw from the prairie,
 (The Hoosier or the Sucker State,
 Their practice does not vary):
 Here North and South and East and West
 Are met in sweet communion—
 Now drain the cup—this toast is best,
 VIRGINIA AND THE UNION!

SECOND TOAST.

THE PRESIDENT OF THE UNITED STATES.

Music—"Hail to the Chief.

THIRD TOAST.

VIRGINIA.—The renowned "*Magna Mater Virum*"—the nursery of Genius—the abode of Hospitality—the land of Chivalry. The rolls of Immortality are crowded with the names of her Sons, who have illustrated her virtues and won the applause of the world.

Music—"Home sweet Home."

This toast was responded to by the Rev. Dr. Hoje, of Richmond, in a speech replete with recondite lore, wit, humor, pathos, and patriotic feeling. In his conclusion, he called up the venerable Gulian C. Verplanck, who entertained and instructed all, by his graphic delineations of those great men of Virginia who served with him in public life.

FOURTH TOAST.

WASHINGTON.—"A pillar of cloud by day and of fire by night" in our weary pilgrimage from Bondage to Freedom—The Palinurus of the Ship of State, when first launched on her voyage—The Nestor, whose "Farewell" precepts afford a Talisman of sufficient power to shield us from danger, and secure us the noblest Destiny.

Music—A Dirge.—Drank standing and in silence.

FIFTH TOAST.

"THE CLERGY.—Ambassadors of God, yet citizens of the State—as citizens they have both rights and duties in the politics of Earth—but when they stand in the pulpit it is their office and their glory to preach the truths of Revelation."

Music—"Old Hundred."

This toast was ably responded to by the Rev. Dr. Wm. G. Hoje, Chaplain to the Society, maintaining in impassioned eloquence his right and duty to exercise, *with intelligence and patriotism, the elective franchise*, but condemning, in the strongest terms, the desecration of the pulpit with party politics.

SIXTH TOAST.

THE CONSTITUTION AND THE UNION.—The Ark of our Safety and the Palladium of our Liberties. Palsied be the tongue that would lisp disloyalty to its obligations, and withered the hand that would displace one stone from the Citadel which treasures all the brightest hopes of Humanity.

CHARLES O'CONNOR, Esq., of New-York.

Music—"Star Spangled Banner."

JAMES T. BRADY, Esq., responded to this toast with distinguished ability. His voice was continually drowned by the irrepressible outbursts of the company. He appealed with great force and power to all parties, to hold fast to the Constitution and the Union as the most glorious heritage of man. He condemned the fanaticism prevailing in the North, and spoke in glowing eloquence of the rights of the States, and the broad statesmanship of the great sons of Virginia. He concluded with a high compliment to the Mayor of New-York.

SEVENTH TOAST.

THE CITY OF NEW-YORK.—The great heart of this mighty nation, which receives support and nourishment from its utmost extremities, and in turn, diffuses light and life, and health throughout the system.

FERNANDO WOOD, Esq., Mayor of New-York.

Music—"Hail Columbia."

The Mayor, in rising to respond, was received with prolonged applause. He spoke of New-York as a city which needed no apology. In her education, her trade, her commerce, her fidelity to the Constitution, and her wish to allow every portion of mankind the largest liberty, it was well known New-York was pre-eminent. He referred to the political axiom that, "those were best governed that were least governed," and discussed it as illustrated by New-York, drawing in favor of the city the most flattering deductions. He said that New-York had a glorious past, as she was the first city which made an armed resistance to a military power, that interfered with the rights of the people to elect delegates to the Colonial Assembly. He said that New-York spoke for herself. They knew of her present—they knew of her past, but, he said, what imagination can comprehend her future, when she would control the monetary influences of the world, and be the centre of trade and commerce; and following upon that as a culminating point, when in obedience to a great law, she would probably fade away into an oblivion as impenetrable as the mystery which now shrouds Babylon or Nineveh. In conclu-

sion, he passed a warm eulogium on the statesmen of Virginia, and said that there was no class of citizens, in this city, who had a higher claim to recognition than those represented by the Old Dominion Society.

EIGHTH TOAST.

OUR SISTER SOCIETIES—We extend them the hand of Good-Fellowship, and hope that we will never feel for Them any other Rivalry than that of Good Offices.

The PRESIDENTS of the different Societies, as their names are called by the Presiding Officer.

Music—"Here's a health to all."

The President called upon the Presidents of the different Societies represented at the dinner, and responses were made by Mr. Hurlbut, Vice-President of the New-England Society, and Mr. O'Gorman, of the St. Patrick's. Mr. Hurlbut closed his very cordial and appropriate remarks by offering the following toast, which was drunk with great enthusiasm:

THE ANCIENT COMMONWEALTH OF VIRGINIA—The Mother of States and Mother of Presidents.—The blood poured out at Concord and at Lexington mingled with that shed at Yorktown, in cementing the foundations of American liberty and union; and the countrymen of Hancock and the Adamses, of Trumbull, Stark, and Greene, claim consanguinity with those of Washington and Henry, of Jefferson and the Lees, and will stand shoulder to shoulder with those of the Old Dominion in preserving that liberty and perpetuating that union.

Mr. O'Gorman responded for the St. Patrick's Society, in a style particularly felicitous. There was a genial warmth in all he said, which went right to the hearts of the Virginians. There were many touches of the finest eloquence, while the whole was crowned with an enthusiastic devotion to our government and institutions, as they were handed to us by our noble sires, which called forth the most heartfelt demonstrations from all present. He welcomed the Old Dominion Society into the ranks of the other Societies, and especially his own, which was seventy-eight years old, and entitled by age to take an infant society by the hand. He alluded to the early history of Virginia in glowing terms, and protested with earnest eloquence against the possibility that this nation, which was bound together by such glorious associations in the past, and by such powerful inducements at present and in the future, would shut its eyes to all reason and humanity, and madly rush into a disruption of all fraternal ties, and a blasting of hopes which could never again be

renewed. He closed his noble and impassioned appeal by proposing, as toast, the concluding lines of the poem :

“Here North and South, and East and West,
Are met in sweet communion :
Now drain the cup, this toast is best—
Virginia and the Union !”

The President then announced that he had, during the delivery of Mr. O’Gorman’s speech, received a telegram from William H. Macfarland, Richmond, sending the greetings of a party of gentlemen who were at this time honoring Mr. Thompson with a dinner.

Col. Peyton was directed to respond by telegraph immediately, and the health of John R. Thompson was proposed by James T. Brady, Esq. This was received with great enthusiasm, and drank with nine cheers.

NINTH TOAST.

HON. GEORGE W. SUMMERS—The first Anniversary Orator.

Music—“Hail to the Chief.”

To which Col. Peyton, as Presiding Officer, added :

“The fame which heralded him as one of Virginia’s gifted sons, gave assurance of a noble speech. He has more than fulfilled expectation, and placed on his brow a chaplet, the leaves of which will never wither.”

In rising to respond to this compliment, Mr. Summers said, that he never before attempted a dinner-speech, or visited this great city. That he was a sort of American Japanese, and when he came here and looked upon the wonders of this great metropolis, he exclaimed, as did the Queen of Sheba, when she saw Solomon and his Temple, that the half had not been told. He alluded, in eulogistic terms, to the names of Virginia’s worthies, which were emblazoned on the walls of the room, and especially dwelt on the high merits of George Mason, of Gunston, the author of the Bill of Rights and the first constitution of Virginia ; Winfield Scott, the first captain of the age ; and Henry Clay, the great commoner : all of which met a hearty response and loud applause from the audience. He then spoke with great enthusiasm of the fact, that men of all political creeds could come together in New-York, and at a common altar pour out libations to the perpetuity of the Union. After such a scene as he had witnessed here to-night, after such sentiments as he had heard avowed

on all sides, he was firmly convinced that the Union was planted in the hearts of the people, and would survive every shock. Nor did he believe, as the mayor foreboded, that the day would ever come when travellers would stand on the banks of the Hudson, as they now do on the streams which wash the walls of Babylon, and exclaim—"Where is now the once great and flourishing city of New-York?" That period, he said, would never happen. He looked forward to the time when New-York would surpass London, Paris, and all the cities in the world—when she would be the admiration of the whole globe, and the regulator of the exchanges and commerce of the world.

Mr. Summers, in closing his remarks, called up Mr. J. W. Girard, whose disinclination to respond was only overcome by the universally-expressed wish that he would speak. In opening, he said, playfully, that this desperate call of Mr. Summers was a ruse for aid, a sort of "Help me, Cassius, or I sink" appeal. For twenty or thirty minutes he enchained the attention of all, by one of the most agreeable, slipshod, discursive, humorous, witty, and patriotic impromptus of the evening. In the course of his charming rambles, he took occasion, with exquisite grace, to strew the most beautiful flowers over the grave of each historic Virginian, as his name occurred. He complimented the intelligence and patriotism of Virginia and New-York, and scouted the idea of disunion while these States comprehended their interests, or were animated by the sentiments expressed by the several speakers of the evening.

He said he had just been to Baltimore and Washington City, where he had mingled with a great many Virginians, and he had no hesitation in saying, that they had bigger hearts than other people, and were the most glorious fellows, altogether, that he had ever seen. Among others, he said, he made the acquaintance of one of the most remarkable men that it had ever been his good fortune to meet. His name, he said, was William Gilmer, of Albemarle, Va., which name he begged the reporters would take down with care. He then eulogized Mr. Gilmer with heartfelt earnestness, and seemed disposed to view him as a type of Virginia. He concluded his remarks by proposing the health of Mr. Gilmer, which was drunk with enthusiasm.

TENTH TOAST.

OUR ARMY AND NAVY.—The gallant sentinels of the nation's honor by land and by sea—at Home and Abroad.

Prof. MAHAN, of West Point.

Music—"Yankee Doodle."

Prof. Mahan, of West Point, in a few appropriate remarks, in which he dwelt on the importance of a high moral and intellectual standard for those to whom were intrusted the guidance of our armies and the care of our national honor. Virginia, he said, had shown her appreciation of this, in the establishment of a military school, which had few equals in the world. That he had enjoyed opportunities for comparing similar institutions in Europe with ours, and he had no hesitation in saying, that there were only two which would bear comparison with the Military Institute of Virginia. This testimony in favor of one of Virginia's schools, from a source entitled to so much consideration, was received with the liveliest demonstrations of satisfaction.

ELEVENTH TOAST.

THE JUDICIARY.—The Sheet-Anchor of our Institutions—may they ever be mindful of their eminent trust, and the weighty responsibility which rests upon them.

Music.

This toast was responded to by Judge Daly, in a spirit which manifested a profound appreciation of the dignity and responsibility of the Judiciary. He pictured with a pencil of light the salutary influence of a wise and intelligent administration of the laws. He paid a handsome compliment to seven Virginia judges: Geo. Wythe, Edmund Pendleton, Bushrod Washington, Spencer Roane, Dabney Carr, Philip Barbour, and St. George Tucker, who he described as bright planets revolving around the centre of American jurisprudence and source of judicial light, the peerless John Marshall. His remarks gave great satisfaction, and called for the warmest applause.

TWELFTH TOAST.

THE PRESS.—The mighty engine of a free government, which crushes all opposition, because it speaks the omnipotent voice of the people.

Mr. Brooks, of the *Express*.

Hon. James Brooks, to whom this toast was assigned, owing to the lateness of the hour, had retired.

THIRTEENTH TOAST.

WOMAN.—Man's solace—Flowers strewed along the pathway of life to cheer and encourage the toilsome struggles of men.

Music.

This toast was responded to very felicitously by the Vice-President, Mr. Campbell, who was applauded at every step most vociferously. At the conclusion of his remarks, the Society and guests gradually retired from the dining-hall, after six hours of solid enjoyment.

WE publish the following letters received by the Executive Committee :

May 15, 1860.

TO COL. WM. M. PEYTON.

My Dear Sir :—I am sorry to say that it is not in my power to join in the celebration this evening.

I had the very great pleasure of hearing Judge Summers' instructive and eloquent oration. I trust it will be placed in a more permanent form than the daily prints, and so as to be within the reach of many who, like myself, will desire to preserve it.

I am, dear Sir, yours truly,
CH. O'CONOR.

SHERWOOD FOREST, *April 20, 1860.*

MY DEAR SIR :—Your letter of invitation, on behalf of the Old Dominion Society, of the city of New-York, to attend its first celebration on the 14th and 15th of May, has been duly received. My inability to accept the invitation is a source of sincere regret to me. I rejoice in the Association which you have formed, to keep in perpetual remembrance the 13th of May, 1607, and its lofty and inspiring incidents and results. So far, the settlement at Jamestown has been followed by little other than blessings to the race of man—what the future may unveil cannot be penetrated by human eyes—we can only hope that its revealings may be as prosperous and as happy as the past has been brilliant and full of glory.

I am, dear Sir, respectfully yours,
J. TYLER.

DEXTER OTEY, Esq.

WASHINGTON, *24th April, 1860.*

DEAR SIR :—The invitation with which, in behalf of "the Old Dominion Society," you have honored me, to their intended celebration of the settlement of Virginia, at Jamestown (13th May, 1607), on the 14th and 15th of the next month, I greatly regret that I am unable to accept—engagements admitting of no postponement, prevent it.

The occasion is one that challenges the approval of all who properly regard a great event in the history of man, so full of results important to his social condition and promotive of the rights vital to his happiness, and the furtherance of that kind of government which is best suited to promote his prosperity and augment his legitimate political power.

The first settlers of Virginia, in all the qualities which command admiration, had no superiors then, or since. Gentlemen by birth and education, having, as is ever the case with such men, a nice sense of private honor—they were admirably fitted to establish a State on the true foundations on which it should rest—private and public integrity, and a liberal and enlightened liberty. Nor did the spirit of the founders die with them. It was seen in all the preliminary proceedings to the revolution; throughout the trying struggles of that mighty contest; during the administration of that man to whom we and the world are indebted more, much more, than to any other who has lived in the tide of time—and during every day of our subsequent history.

To his wisdom and patriotism are we, from the same cause, indebted to the matchless government that binds us together as one people by bonds, which folly, or fanaticism, or treasonable conspiracy, will in vain seek to sunder.

The memory of such men as instilled these high principles into their posterity should ever be preserved fresh in their regard, and, at this, the first meeting of those of them who are now among the best citizens of a sister State, it would afford me the highest gratification to be present; but as this is impossible, I can only return thanks for the privilege they have given me and remain

Your and their friend and obedient servant,

REVERDY JOHNSON.

DEXTER OTEY, Esq.,

Chairman Ex. Com. Old Dominion Society, New-York.

Boston, May 14th, 1860.

DEXTER OTEY, Esq., *Chairman Ex. Com. Old Dominion Society, No. 50 Wall street, New-York:*

Dear Sir:—Your invitation, dated 10th ultimo, to attend the first Anniversary Celebration of your Society, has been duly received, and I regret deeply, in acknowledging the flattering request, that my engagements must preclude me from being present on so interesting an occasion.

It is interesting that the children of the Elder Sister of the Confederacy the Commonwealth where the first permanent home of the American colonist was erected, the ever loyal and always patriotic Old Dominion—rich in her legendary history; where the burning eloquence of Henry aroused the earliest sentiments of resistance to British oppression; where the Revolutionary struggle met with its triumphant vindication at the surrender of Yorktown; where those minds were taught and unfolded, which gave to the Union its Magna Charta in the Constitution itself, and, second to it only, the Farewell Address of the Saviour and Father of his Country

of that Commonwealth which, to-day, cherishes the glory of the past, and the hopes of the future, under and in that Constitution, and in the sentiments of that Farewell Address;—it is interesting that the sons and daughters of that old State, resident in the commercial emporium of our common country, should assemble, now for the first time, to commemorate the crowding memories of two centuries and a half, and to hope and trust in an illimitable future as glorious as has been that past.

I trust the voice of Massachusetts may be heard among your rejoicings. It is fit it should. Nearly simultaneously the hardy pioneers of each breasted the dangers of the wilderness and savage foes, amid difficulties and disheartenings we may read of, but cannot realize. Their sympathies then were in unison. For more than one hundred and fifty years, side by side, they struggled in their upward and onward progress as sister Commonwealths. Side by side, too, beneath the red-cross flag of England they fought against common foes, and their bones together bleached on many a battle field. Then, surely, their sympathies were in unison.

At length, when in conflict for our separate existence as a nation, the capital of Massachusetts was in the hands of foes, Virginia sent forth her sons as a leader and as fellows, to free Massachusetts from the army of oppression. Through the dark days of the revolutionary struggle, and those almost as alarming, pending the formation and adoption of the Federal Constitution, Virginia and Massachusetts were in unison; and when, at length, success crowned the struggle, while the first office in the government was unanimously granted to the former, the second was as freely conceded to the latter.

Since then a long era of kindred counsels, of mutual prosperity, and of united sacrifices, have promoted the happiness and indicated the patriotism of each; and, to-day, I am sure I speak the voice of my native State, as well as of Virginia, when I express the earnest hope that the future, as the past, may ever witness mutual sacrifices, mutual sympathy, mutual forbearance, and mutual prosperity.

I remain, very truly,

Your obedient servant,

HENRY J. GARDNER.

HARTFORD, *May 9th*, 1860.

DEAR SIR:—I have the honor to acknowledge the receipt of your obliging invitation in behalf of the "Old Dominion Society" of the City of New-York. In reply, I beg to assure you, that I take a great interest in all that concerns the history of Virginia, and shall be most happy to unite with you in your "First Anniversary Celebration" of the settlement of Virginia at Jamestown. Nothing, I trust, will prevent me from meeting with your Society, at Cooper's Institute, on the 14th inst., when an address is to be delivered by the Hon. Mr. Summers. I shall not, however,

owing to engagements at home, be able to remain over to the afternoon of the 15th inst., the time set apart for your Anniversary dinner.

The founders of your native State, like those who first settled in Massachusetts, were among the most enterprising and richly endowed, by nature and education, of all the emigrants who earliest came to this new world. If Plymouth and its environs have a charm for Massachusetts men, Jamestown has one no less powerful for the sons of Virginia. Nor is the interest which is felt, in either of these consecrated localities, exclusively confined to the people of the States in which these memorable *landing places* are found. On the contrary, it is an interest in which the people of this country claim to have an equal share. From the settlement at Jamestown, and the kindred settlement at Plymouth, came the strength, physical, intellectual, and moral, which, in time, gave us a *name*, *Independence*, and a *UNION*! God grant that, in recalling the devotion, the sacrifices, the valor, and the patriotism of the first settlers of America, we may renew our vows to preserve what they have handed down to us.

Respectfully, your obedient servant,

THOS. H. SEYMOUR.

To D. OTEY,

Ch. Ex. Com. Old Dominion Society, &c., &c.

Boston, 4th May, 1860.

DEAR SIR:—I had the honor, some time since, to receive your note of the 10th of April, and I have delayed my answer, in the hope that it might be in my power to accept your kind invitation for the 14th and 15th. It would give me great pleasure to unite with the "Old Dominion Society," in celebrating the settlement of Jamestown. Rarely have I passed so delightful a day as that which I spent about two years ago, in a visit to the venerable spot. I sincerely regret that engagements at home will prevent my enjoying the gratification of listening to Mr. Summers' oration, and participating in the festivities of the 15th.

With great respect, very faithfully yours,

EDWARD EVERETT.

DEXTER OTEY, Esq.

WASHINGTON, April 19, 1860.

DEXTER OTEY, Esq., &c.

Dear Sir:—I am in receipt of an invitation of "the Old Dominion Society" of your city, to be present at their first anniversary celebration of the settlement of Virginia, at Jamestown.

The memories which your anniversary will freshen, will present an unbroken record, of which every Virginian may be proud, and, amid "the

feast of reason and the flow of soul" which will enliven the occasion, must invigorate our determination to reverence the dear old mother of us all—to remember her teachings; to imitate her example; and, by every means in our power, to exalt, if possible, her already illustrious name.

But I cannot be with you. My, too frequently unhappy, duties here will not allow me to leave them. And I must close with the expression of my regrets that I must decline your cordial invitation.

I am, my dear sir, very truly yours,

WM. SMITH.

HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., May 7th, 1860. }

DEAR SIR:—I owe you an apology for not replying at an earlier date to your kind invitation, as Chairman of the Old Dominion Society, to be present at their first anniversary celebration, on the 14th and 15th inst. And in extenuation of this seeming neglect, I can only beg to assure you that my delay proceeded from my great desire to accept your invitation; and an extreme unwillingness to decline the same, as long as there was even a possibility that my duties here would permit me to absent myself at that time. And I can only regret that as the time approaches so nearly, I find it will be impossible for me to be with you on that interesting occasion.

I regret this the more deeply, inasmuch as the orator of the occasion, the Hon. GEO. W. SUMMERS, is one whom I have had the pleasure to know from my boyhood, and to appreciate not the less for his glowing eloquence than for all those qualities which you know we are vain enough to suppose, in the Old Dominion, constitute the "*true Virginian*."

Be pleased to tender for me to the "Society of the Old Dominion," my grateful appreciation of its invitation, and accept for yourself my thanks for the kind and polite manner in which you were pleased to convey the same to me.

I remain,

Your obd't serv't,

A. G. JENKINS.

PEAKLAND, BEDFORD CO., VA., April 23, 1860.

TO DEXTER OTEY, Esq., *Chairman Executive Committee*
"*Old Dominion Society*."

DEAR SIR:—My time will be so fully occupied with the business of the Court of an adjoining county, that I shall be unable to unite with the Old Dominion Society on the 14th and 15th May next, in New-York, to celebrate the settlement of Virginia, at Jamestown, *two hundred and fifty-three years previous to the time indicated*.

I should be much pleased to be with you, to recall the incidents of a

period in our old mother's history so very remote; and I am gratified to see and to be assured that she is remembered by all her sons, wherever they may be. *Virginia* is still the land of their love—the home of their hearts; and I here will say with you, God bless her, now and forever.

I am, very respectfully,

WM. L. GOGGIN.

STAUNTON, VA., *May 12th*, 1860.

MR. DEXTER OTEY—*Dear Sir*:—Some weeks ago I had the honor to receive your invitation, on behalf of the Old Dominion Society of the City of New-York, to attend their celebration of the anniversary of the settlement of *Virginia*. I delayed my response to it to the last moment, in the hope that I might be able to attend. Having failed, however, to make the arrangements which I had proposed, all that remains for me is to tender to you, and those you represent, my cordial thanks for the honor you have conferred on me, and to express my regret that I cannot participate in your festivities.

It is gratifying to every Virginian, to know that the sons of the Old Dominion, wherever they may be led to seek their fortunes, still cherish sentiments of affection for the land of their birth. The memories of childhood still retain their brightness, and the associations of youth continue to cluster around their hearts. Nor are feelings like these at variance with their allegiance to the State of their adoption. The man who can forget the country that gave him birth has none of the elements of true patriotism in his nature.

Fortunately, you have been enabled, through the wisdom and virtue of our fathers, to leave *Virginia* without leaving your country. The stars and stripes of the glorious Union still float over you, and love for *Virginia* is entirely compatible with affection for New-York. Long may this condition of things endure! Long may the countrymen of Washington and Madison claim kindred and fellowship with the descendants of Hamilton and Jay! Palsied be the arm that would seek to sever, or to enfeeble the the sacred ties that now bind together the Empire States of the north and the south! No two States contributed more than New-York and *Virginia* to form the glorious confederacy under which we have lived so happily for three quarters of a century. Let us prove that we are not degenerate sons of noble sires, by upholding and defending the Constitution and the Union “at all hazards, and to the last extremity!” In conclusion, I offer you a sentiment:

“NEW-YORK AND VIRGINIA—The homes of Hamilton and Madison. May the work of their illustrious sons endure forever.”

Very truly yours, &c,

ALEX. H. H. STUART.

NEW-YORK, *April*, 1860.

DEXTER OTEY, Esq., *Chairman Executive Committee*
"Old Dominion Society."

MY DEAR SIR :—Accept my many thanks for the honor of an invitation to unite with your society in the celebration of your first anniversary, on the 14th and 15th of next month ; and be assured of my deep regret in being obliged to decline so great a pleasure ; but my arrangements are such, that I shall be out of town from the 14th to the close of the week.

I offer you the homage of my love and veneration for the Old Dominion, so rich in its contributions to the glory of my country, and propose a sentiment, which should be acceptable to all :

"VIRGINIA—The mother of Washington, and guardian of his grave ; to her our country looks for the best teachings of political wisdom, and the best examples of patriotic devotion."

Very respectfully,
 Your obed't servant,
 GEO. W. BETHUNE.

RICHMOND, *10th May*, 1860.

MY DEAR SIR :—I have deferred making a reply to the polite invitation with which you have honored me, in behalf of the Old Dominion Society of New-York city, in the hope that I might be able to accept it. But finding this impossible, I write to offer my best thanks for your courtesy, and my sincere regrets that I cannot be with you on an occasion of so much interest as your approaching anniversary. I venture to send you some rambling lines, to be read, should the proper opportunity arise at the dinner, and remain, my dear sir,

With the highest regard,
 Yours, very truly,
 JNO. R. THOMPSON.

DEXTER OTEY, Esq.

NAVY YARD, *10th May*, 1860.

DEAR SIR :—I have delayed replying to the very obliging invitation of the Executive Committee of the "Old Dominion Society," to join with them on the 14th and 15th instants, in celebrating its first anniversary, in the hope that I might be enabled to avail myself of it, but exceedingly regret to find, at this late hour, that circumstances will not permit me the enjoyment of that pleasure.

I beg the Committee will excuse the delay in replying to your note, for the reason above alleged ; and if I might be permitted to do so, I would ask the Society's leave to offer for its acceptance this sentiment :

"THE OLD DOMINION STATE—The recollection of her glorious achievements in peace and in war, will ever be the 'fiery cross' on her hill tops, to summon her sons to sustain their ancient renown, and to emulate their fathers' fame and patriotism."

I am, Sir,

Very respectfully,

Your obed't servant,

SAML. L. BREEZE.

TO DEXTER OTEY, Esq., *Chairman Ex. Committee*

"*Old Dominion Society,*"

No. 50 Wall street.

RICHMOND, *April 18th, 1860.*

DEAR SIR:—Your polite invitation, on behalf of the Old Dominion Society, to attend its celebration of the settlement of Virginia, on the 14th of May next, has been received.

I thank you and your Society for your kind remembrance. I regret it will not be in my power to join my brothers of Virginia, now resident beyond her bounds, in rejoicing over an event which, to us, is so full of historic interest.

What magnificent issues have resulted from that feeble beginning! What luminous names upon the page of the world's history follow in the train of reflection suggested by your anniversary! Can it be denied that the most illustrious man of the Western world, if not of modern times, sprang from the race planted at Jamestown? Can it be doubted that the highest form of civilization, the best frame of government, have been developed from that seedling? and that though it was the least of all seeds, it promises to be the greatest of all trees, under whose shadow, and upon whose branches, nations may rest in peace, unity, and prosperity?

In the conservation of the great principles our fathers have established, Virginia looks to her sons abroad and at home. Submissive to her teachings, we may, by unity of effort, effect much in the restoration of the peace of the country upon a basis sound and permanent, because just and constitutional.

I wish for your Society all of pleasure it may hopefully anticipate in its celebration; and your brothers, at the hearthstone of our common mother, send greeting to those far away but not severed from it.

I am,

With kind regard,

Your friend,

J. R. TUCKER.

DEXTER OTEY, Esq., *Chairman of Committee*

"*Old Dominion Society.*"

RICHMOND, 7th May, 1860.

DEAR SIR:—I may be pardoned, I hope, for withholding until now my reply to the very polite invitation of the Old Dominion Society of New-York.

At the time of its reception my engagements did not admit of a positive acceptance—which I trusted, however, it might still be in my power to send in due time. In this I am disappointed. I can only beg, therefore, that you will present my grateful thanks to your Society for their kind attention, and sincere regret that I am unable to join them on an occasion so interesting to every son of our "Old Dominion."

Hoping the day of your meeting may prove one of unalloyed enjoyment, I am,

With great respect,

Yours truly,

JOHN ROBERTSON.

RICHMOND, April 18th, 1860.

DEAR SIR:—Your kind invitation to me to be present at the celebration of the first anniversary of the Old Dominion Society is thankfully received. I regret my inability to attend.

As a son of Virginia, whose heart throbs in unison with all who may wish to pay honor to her, I would rejoice to be present, to celebrate her birth, her youth, her virgin purity, her gathered honors in maturity, and if it may be, her eternity of existence. I would delight to unite in commemorating all that is honorable and beautiful in her history, from Jamestown to Yorktown, from Yorktown throughout this continent, for her name and fame are interwoven with all that is noble and glorious in our colonial and national annals. I would rejoice to hear her eulogy pronounced by her gifted son, George W. Summers, in the great city of the Empire State, and it would add to the enjoyment to know, that New-York participates enthusiastically in restoring the fraternal concord of better days, when love between sister and sister was equal to love for self, and when the desire for harmonious union was greater than the Utopian idea of universal emancipation. Accept my thanks.

Very respectfully,

GEORGE W. MUNFORD.

DEXTER OTEY, Esq.

Chairman of Ex. Com. Old Dominion Society, New-York.

BERRYVILLE, CLARKE Co., VA., May 5th, 1860.

Chairman of the Ex. Com. of the Old Dominion Society.

Dear Sir:—Yours of April 10th, without signature, is just received. Please tender to the Society my thanks for their invitation to their cele-

bration and festivities, and express my regret that engagements, made a few days previous to its receipt, would render my acceptance impossible.

My thanks are also due to you for your hospitable manner of communicating the invitation. If not improper, I offer the sentiment below.

Yours truly, in haste,

JOSIAH W. WARE.

THE OLD DOMINION SOCIETY OF NEW-YORK—A Society free from sectionalism. May its formation and operation be extensive enough to correct the tendency to sectionalism throughout the Union, and bring about a more patriotic feeling of devotion to the Union everywhere, by generous support of the Constitution and laws, without evasion or reservation.

NEW-YORK, *May 15, 1860.* }
5 o'clock, *P. M.* }

MY DEAR SIR:—I am greatly disappointed to find, at this late hour, that I am most unexpectedly prevented availing myself of the invitation of the "Old Dominion" Society, by circumstances entirely beyond my control.

The St. Nicholas Society most cordially welcomes her sister.

With great respect,

Your obedient servant,

HAMILTON FISH.

DEXTER OTEY, Esq.,

Chairman, &c., &c.

NEW-YORK, *May 5, 1860.*

DEAR SIR:—I have the honor to accept the invitation of the Old Dominion Society to their first anniversary, on the 14th and 15th inst.

I remain, your obedient servant,

A. NORRIE,

Pres. St. Andrew's Society.

DEXTER OTEY, Esq.,

Chairman Ex. Com.

I have also, on behalf of my Society, to thank you for the invitation you have extended to its members to hear Mr. Summers' address on that occasion.

A. NORRIE.

NEW-YORK, *April, 26, 1860.*

DEXTER OTEY, Esq.:

Dear Sir:—I duly received your kind invitation, and will be most happy to be of the number to listen to your famed orator, George W. Summers, on far-famed old Virginia. I dare not say I can attend the fes-

tival of the 15th. Sad causes have forbid me, for some time past, to enter into scenes of dietetic hilarity; but I must see how matters stand when nearer the period of the consummation of the event.

With profound regard and appreciation of your courteous invitation,

I remain, very truly yours,

JOHN W. FRANCIS.

NEW-YORK, *May 12th*, 1860.

DEXTER OTEY, Esq.,

Ch. Committee Old Dominion Society.

DEAR SIR:—I accept with great pleasure, in the name of the French Benevolent Society, the invitation which you extend to me, as President of said Society, to join the Old Dominion Society on the 14th and 15th May.

I am personally happy to participate in this celebration, and meet in a friendly manner the worthy sons of the Old Dominion.

Very respectfully yours,

E. COUSBURG.

Pres't French Benevolent Society.

BARBOURSVILLE, *May 5th*, 1860.

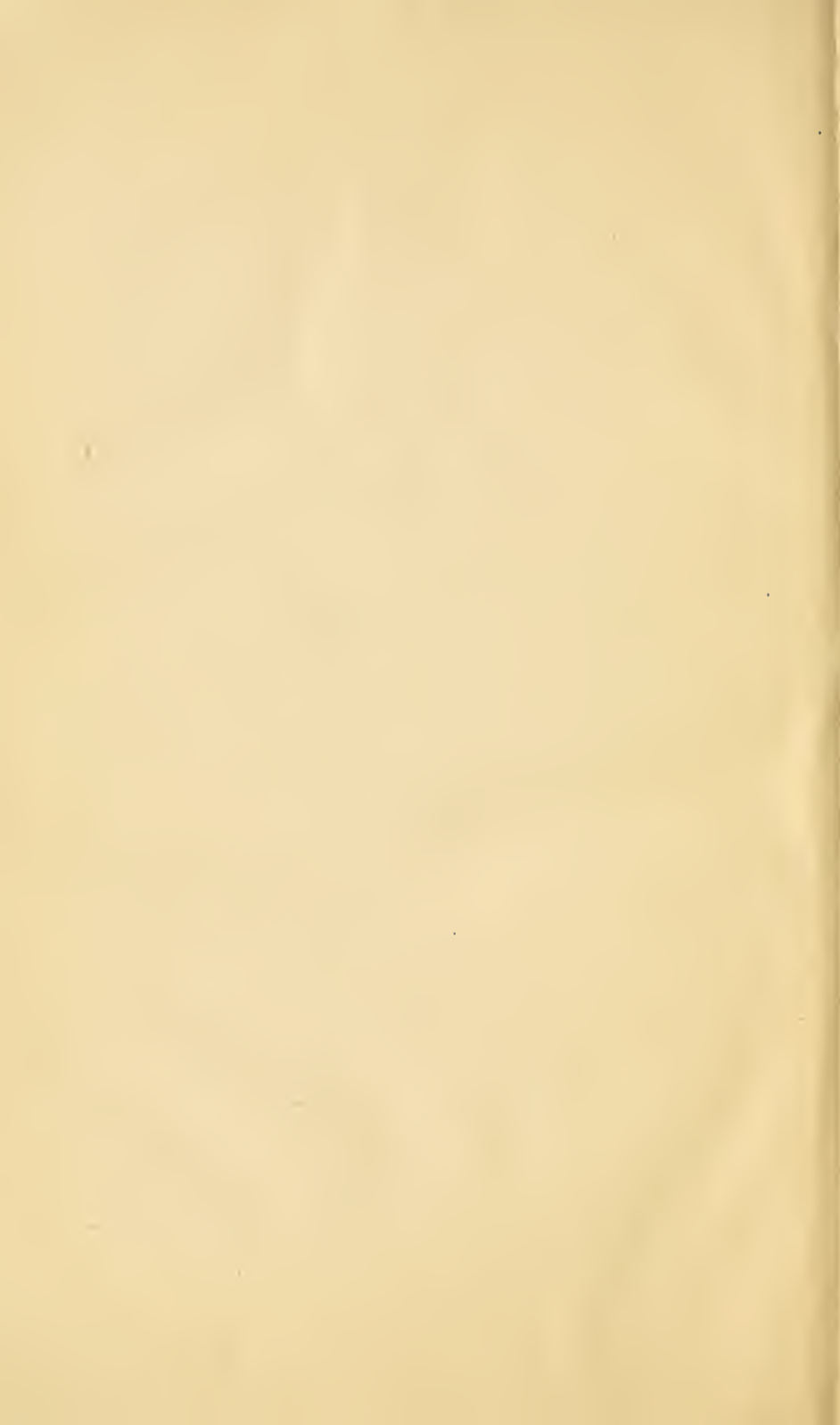
DEXTER OTEY, Esq.

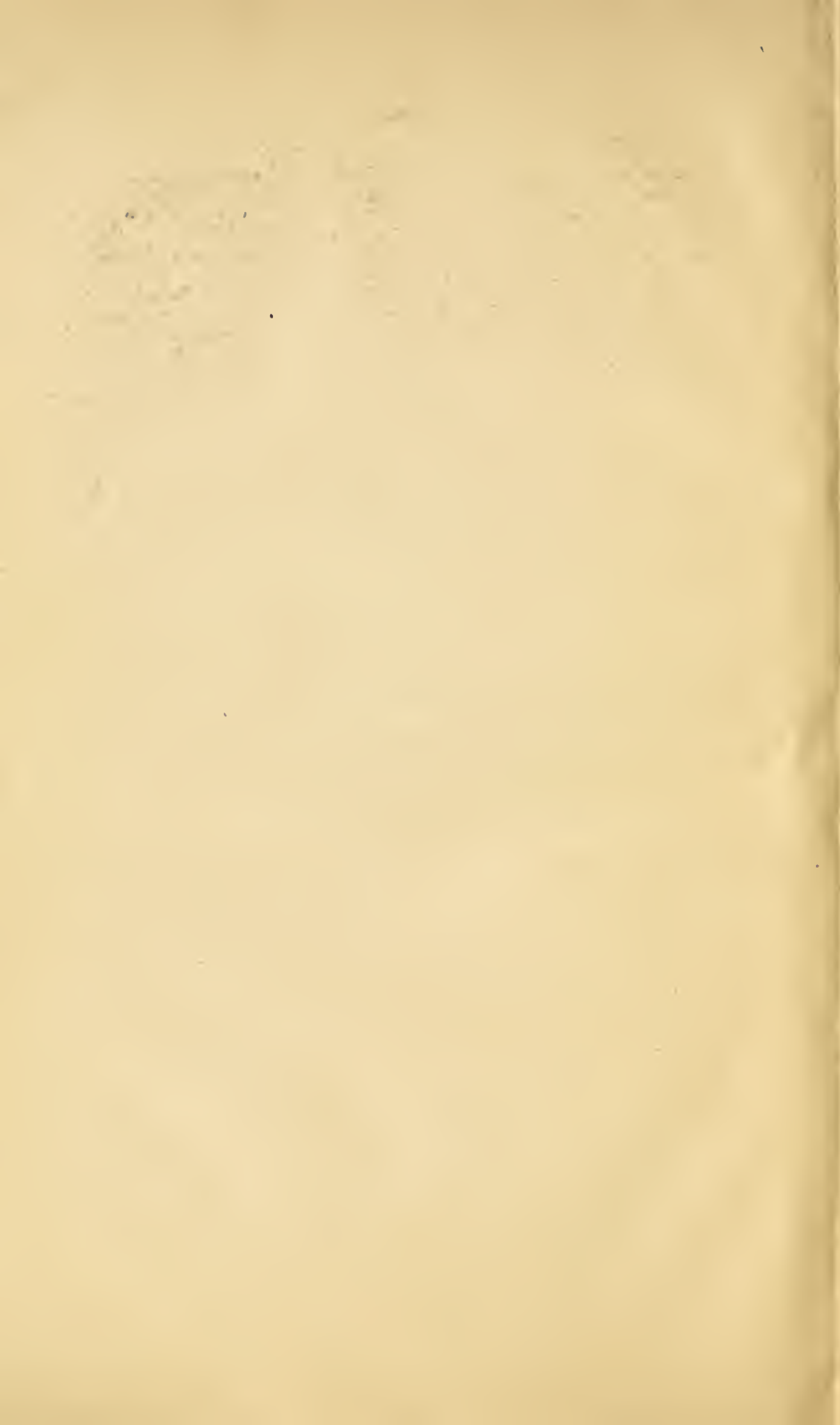
Dear Sir:—I sincerely regret that I am at length obliged to decline your kind invitation to attend the anniversary celebration of the Old Dominion Society in New-York. Until this moment I had hoped to be able to accept it.

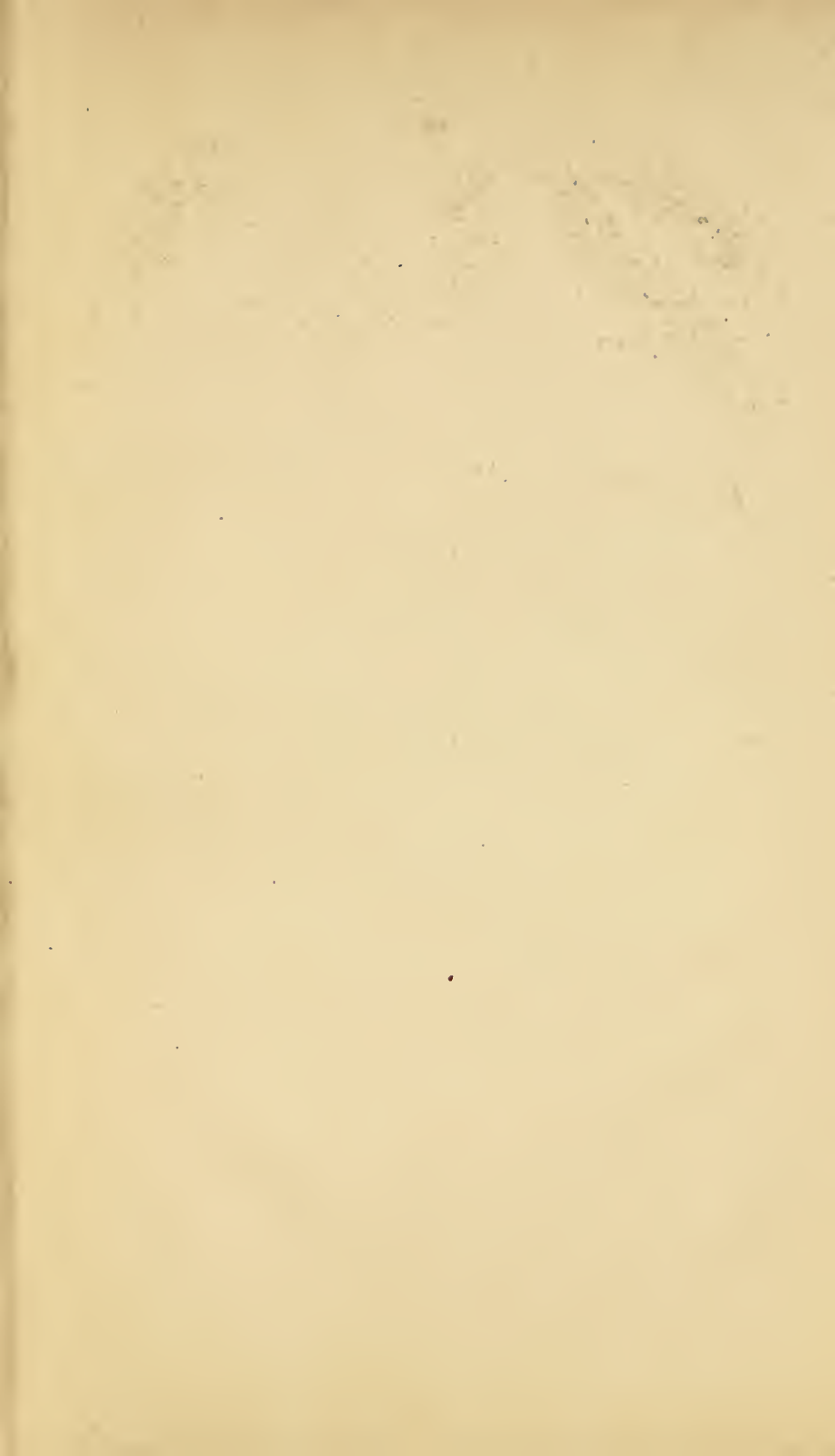
I am sure that I am indebted to you, individually, for this polite attention, and it revives the pleasant memories of 1844. Accept my best wishes for your welfare.

B. J. BARBOUR.

Letters of apology were also received from the Hon. Greene C. Bronson, Hon. J. P. Benjamin, United States Senate, Hon. Daniel Dickinson, Hon. G. A. Bayard, John G. Saxe, Esq., Col. Belton, U. S. A., Major H. L. Scott, U. S. A., L. Thomas, Esq., Hon. John B. Floyd, Major Thomas H. Holmes, Hon. G. H. Hammond, United States Senate, Hon. Muscoe Garnett, Gen. James Garland, U. S. A., Hon. Roger A. Pryor, Hon. Shelton F. Leake, Hon. C. L. Vallandigham, Hon. J. S. Millson, Capt. R. M. Meade, U. S. N., Rev. Henry E. Montgomery, Archbishop Hughes.







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